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Strengthening the Quality and Efficiency of Justice in Albania

TRAINING NEEDS ASSESSMENT REPORT

Assessment of Needs for Continuous Training of the
Judicial Service Providers in the Republic of Albania

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I. Introduction

The overall goal of this assessment was to identify needs for continuous training of the judicial service providers of the Republic of Albania.

This paper should serve as baseline for the Albanian School of Magistrates when developing next year training programmes for continuous training for six target groups within School's portfolio.

The paper is being produced under the auspices of a CEPEJ Action as part of EU/CoE Horizontal Facility for the Western Balkans and Turkey "Strengthening the Efficiency and Quality of Justice in Albania" (SEJII).

The activity is implemented in cooperation with the local consultant Aida Gugu, representatives from the School of Magistrate and with the support of the CoE Project Office in Tirana and Strasbourg.

II. Methodology of the assessment

For this comprehensive training needs assessment, the primary data were collected via quantitative and qualitative research tools.

The assessment methodology included combination of several methods:

- Review of the legislation, reports and strategic documents¹;
- Survey through questionnaire and focus group discussions²;
- Meetings with different stakeholders;
- Job descriptions³;
- Observations;
- Analysis of the available statistical data and
- Expert appraisal.

This approach provides several angles in identifying training needs and secures that the data collected during the meetings are crosschecked with the data from the questionnaires, the legislation and other strategic documents and reports.

The assessment addressed 6 target groups identified as the key judicial service providers: judges, prosecutors, chancellors, chairpersons, legal assistants/advisors and secretaries. Training needs of these 6 target groups, were analyzed through:

- Training requirements;
- Training needs assessments;
- Training programme;
- Training methods and delivery; and
- Use of ICT in training.

Questionnaires were developed for the 6 target groups and disseminated through the School of Magistrates. The results of this survey are presented separately in this report. Due to the delay in data gathering the questionnaires were also collected through face-to-face interviews with members of the target groups.

The consultant also meet with donor projects active in the field of the judiciary EURALIUS, USAID and OSCE.

Based on all utilized methods specific recommendations were made for each target group separately as well as general recommendations for continuous training programmes for the target groups address with this assessment.

¹ See annex 1

² See annex 2

³ Taken from the legislation, hence detailed job description by the time of writing of this report were not made available

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Strengthening the Quality and Efficiency of Justice in Albania

III. Assessment

Background

Professionals within the judiciary have an important service role to play in the societies within which they work. They are the key protectors of fundamental rights and freedoms, they play a pivotal role in the life of the justice system, and they are vital for the promotion and protection of the rule of law. For these reasons, European Union (EU) member states and other countries regulate both the entry into the profession and continual professional upgrade in the interests of the citizens and the rule of law.

Upon completion of the academic and vocational stages of training, members of the judiciary will have acquired at least the minimum of knowledge and skills to enable them to work at a competent and professional level. In order to maintain and enhance the quality and efficiency of the judiciary, different professions within the judiciary need to update their knowledge and improve their skills continuously.

The Republic of Albania in the recent years has undertaken in depth judicial reforms both in terms of legislative changes, institutional restructuring but also transitional re-evaluation of about 800 professionals within the judiciary.

With the adoption of the “Law no.84/2016 on the transitional re-evaluation of judges and prosecutors in the Republic of Albania” the country has entered a very complex and lengthy process of re-evaluation of the capacities of the judiciary (so called vetting process) carried out based on three criteria: Asset assessment, Background assessment, and Proficiency assessment, in order to “guarantee the proper function of rule of law and true independence of the judicial system, as well as the restoration of public trust in the institutions”⁴.

According to the latest EC Report, Albania 2018 Report: *“Albania has some level of preparation. Good progress was made through continued implementation of the justice reform. The process of re-evaluating all judges and prosecutors has started and is delivering the first tangible results. Following the establishment of the vetting institutions, the first set of priority cases is being*

⁴ Article 1 of the Law no.84/2016 on the transitional re-evaluation of judges and prosecutors in the Republic of Albania

reviewed. The auxiliary institutions supporting the process have completed their first reports on the proficiency assessments, background checks and asset declarations.”

However, this lengthy and comprehensive vetting process of judges and prosecutors, which is now also applied to the chancellors, chairpersons, legal advisors/assistants is keeping the judiciary capacities in a status quo situation in terms of professional development but also hampering the proper functioning and efficiency of the courts and judiciary in general.

Positive recent developments with the election of the members for the High Judicial Council (HJC) and High Prosecutorial Council (HPC), gave impetus to the vetting process. The responsibilities of these two institutions regarding the professional development of practicing judges/prosecutors are of crucial importance.

Besides very extensive list of competencies the HJC is also responsible for professional development of practicing judges. Namely, as stated in the “Law no. 115/2016 on Governance institutions of the justice system” the responsibilities of the HJC in regard to the continuous training of judges are split between the HJC and SoM. While the School is mostly tasked with operational activities related to implementation of a training programme the HJC responsibilities are more of a policy making nature.

“The High Judicial Council shall cooperate with the School of Magistrates in relation to the continuous training of judges and it shall perform the following tasks.

- a) keep contact with the School of Magistrates with regard to the continuous training of judges;*
- b) advise the School of Magistrates about the continuous training program for judges;*
- c) decide on requests concerning the continuous training in the School of Magistrates;*
- d) c) monitor and report publicly in relation to the training effectiveness;*
- e) perform any other tasks assigned by law in the field of training of judges. “*

Article 88 of the “Law No. 115/2016 on Governance institutions of the justice system

In the same line, the Law also defines the role of the HPC in continuous training of prosecutors.

“The High Prosecutorial Council shall cooperate with the School of Magistrates in relation to the continuous training of prosecutors and it shall perform the following tasks.

- a) keep contact with the School of Magistrates with regard to the continuous training of prosecutors;*
- b) advise the School of Magistrates about the continuous training program for prosecutors;*
- c) decide on requests of prosecutors concerning the continuous training in the School of Magistrates;*
- d) monitor and report publicly in relation to the training effectiveness;*
- e) perform any other tasks assigned by law in the field of training of prosecutors.”*

Article 186 of the “Law No. 115/2016 on Governance institutions of the justice system

These responsibilities given by the legislation to the HJC/HPC entrust these judicial institutions with the power to act on a policy level when shaping the profile of a judge/prosecutor. Their role in the design of the continuous training programme and monitoring its effectiveness is especially relevant for this assessment.

The School of Magistrates besides its main tasks in the initial training also implements the continuous training programmes and not only for practicing judges and prosecutors but also to state advocates, chancellors and judicial servants.

- 1. The School of Magistrates accomplishes the professional formation of magistrates.*
- 2. Professional formation includes the program of the initial formation of the candidates for magistrate and of the continuous formation of the judges and prosecutors on duty.*
- 3. The School of Magistrates accepts in the program of the initial training and of the continuous training of candidates for magistrate, in the sense of point 1, of this article, and in accordance with the law "On State Advocacy" the candidates for the positions in the State Advocacy.*
- 4. The School of Magistrates accepts in the program of the initial training and of the continuous training of candidates for magistrate, in the sense of point 1, of this article, and in accordance with the law "On the organization of the judicial power in the Republic of Albania", candidates for legal assistants.*
- 5. Much more detailed rules related with the envisages of points 3 and 4 of this article, especially related with the number of the trained ones in year, courses of training for these trained ones and corresponding funds which will become available from the interested institutions or donors, are arranged by the agreement between the School of Magistrates and the interested institution.*
- 6. The School of Magistrates, in cooperation with the High Judicial Council, the Attorney's High Council, the Ministry of Justice, other courts and institutions realizes the initial and continuous professional training of chancellors, in accordance with the anticipations done from the law "On the organization of the judicial power in the Republic of Albania" and the law "On the organization and functioning of the Prosecution in the Republic of Albania".*
- 7. The School of Magistrates, based on the obligation established by law, or on the request of interested institutions, depending on the accessible capacities, corresponding funds done available from interested institutions and donors, may collaborate for the activities of professional formation for civil clerks of the judiciary, civil clerks of the prosecution or of other legal professions related with the justice system. The School of Magistrates, according to the case, may sign agreement of cooperation with the responsible institutions for their training.*

Article 244 Law no.115/2016 on the organs of the management of the justice system

Goal 2 in the Cross-Sector Justice Strategy 2017- 2021 focuses on consolidation of legal education and training as well as specialization of magistrates and court personnel. The Strategy also identifies lack of knowledge in the EU *acquis* as well as lack of resources within the School of Magistrates to implement its mandatory training programmes.

Furthermore, in the new Strategy of the School of Magistrates 2019-2023 focus is put on the initial training programmes. As of continuous training programmes the School plans to reduce the scope of trainings for judges and prosecutors while at the same time introducing a new training for chancellors, legal advisors and state attorneys.

“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.

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.

Number of continuous training training sessions for legal advisors and state attorneys per year. Separate training seminars have been envisaged for these categories of about 10 training seminars a year that can be coordinated with the training seminars offered to the magistrates in office. “

Currently, the training programme of the School is just a simple Calendar list consistent of training topics, dates of the training, venue of the training and the name of the lecturer/trainer. According to the last Calendar 2017-2018 available on the SoM web page it seems that no distinction is made in regard to the different beneficiaries of the School' training services.⁵ As explained the new Calendar (2018-2019) focuses on the trainings offered to judges and prosecutors in the same manner as previous. It seems that the School of Magistrates does not plan nor has capacities to address different target groups in terms of all continuous training programmes that according to the new legislation are part of the School portfolio.

Due to the lack of resources the School implements its programmes with donor support. One doubts if the training topics are based on the real needs of the target groups but rather based on the priorities and availabilities of donors' experts. There is no proper training needs assessment process in place. The process of identifying training needs is organized by the School. Namely, the School defines a list of training topics and shares it with judges and prosecutors. Their replies

⁵The list of topics put in the Annex 2

make up the priority of the training topics in the Calendar list. Due to School's scarce resources and lack of capacities the process is more donor driven, both in terms of identifying training topics and providing expertise to meet the challenges within the training programme. The School is more involved in the organizational and logistic support of the training events.

I. Survey Results - General

The objective of the survey was to present the general perception of the different target groups of judicial service providers vis-à-vis additional training needs.

For that reason, 6 different questionnaires were developed taking into consideration specificities of different target groups.

The questionnaires were organized in several blocks: first block with demographic questions; second block with general training needs; third block with specific training needs for the required post, fifth block focused on training methodology and the last blocks were open ended questions requiring information about past training participation and interviewer need for future individual training needs. The number of questions differed from 29-41.

This was an internal survey within judiciary for the 6 target groups of judicial service providers that are at the same time part of the School of Magistrates portfolio. Internal surveys generally receive a 30-40% response rate on average, compared to an average 10-15% response rate for external surveys.

The sample size was calculated taking into consideration: margin of error, confidence level and response distribution. The overall response rate was 25% from the overall total population of all the target groups/categories in the judiciary.

The motivation level especially of the two audiences: judges and prosecutors, was rather low as expected due to the on-going vetting process.

The data collection was carried out by the School of Magistrates. In the first run the level of the response rate was much lower and to facilitate the process additional efforts were made by CoE local experts to collect the data through face to face interviews using the same questionnaires.

The survey target groups were: judges, prosecutors, legal advisors, secretaries, chancellors, court presidents. In total 255 respondents participated in this survey. Out of them:

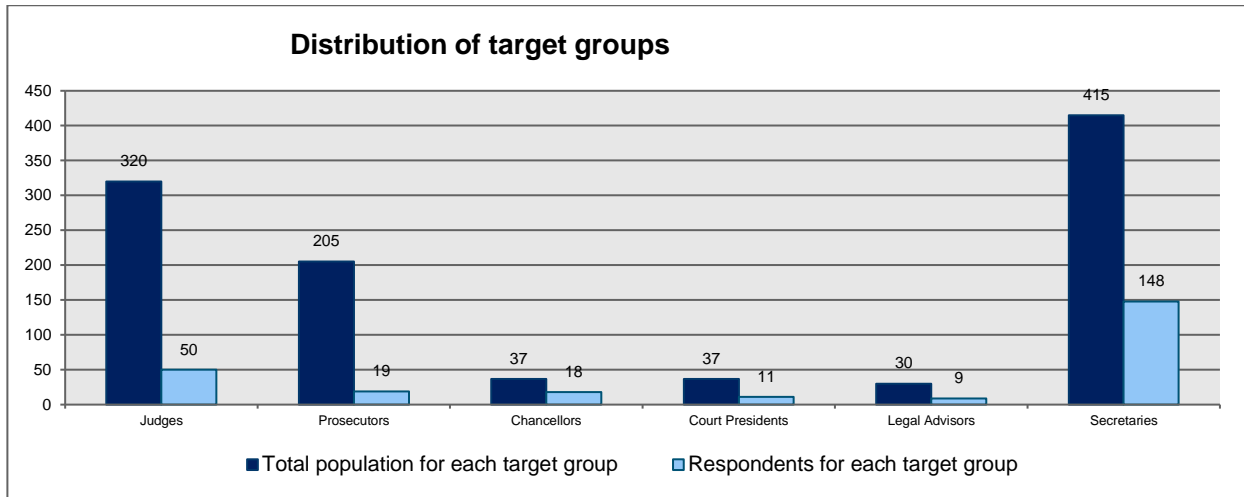
- 50 (or 15.6 %⁶) respondents were judges (out of a total of around 320 judges⁷);
- 19 (or 8.7%) (out of a total of around 205 prosecutors⁸) respondents were prosecutors;
- 18 (or 48.6%) respondents were chancellors (out a total number of 37 chancellors (all court levels));
- 11 (or 29.7%) respondents were court presidents (out of a total number of 37 (all court levels excluding high court));

⁶The percentage here is given in relation to the target group not the whole survey population

⁷without counting High Court which is left with 2 judges only at this stage and calculating roughly the number of those who resigned or failed vetting

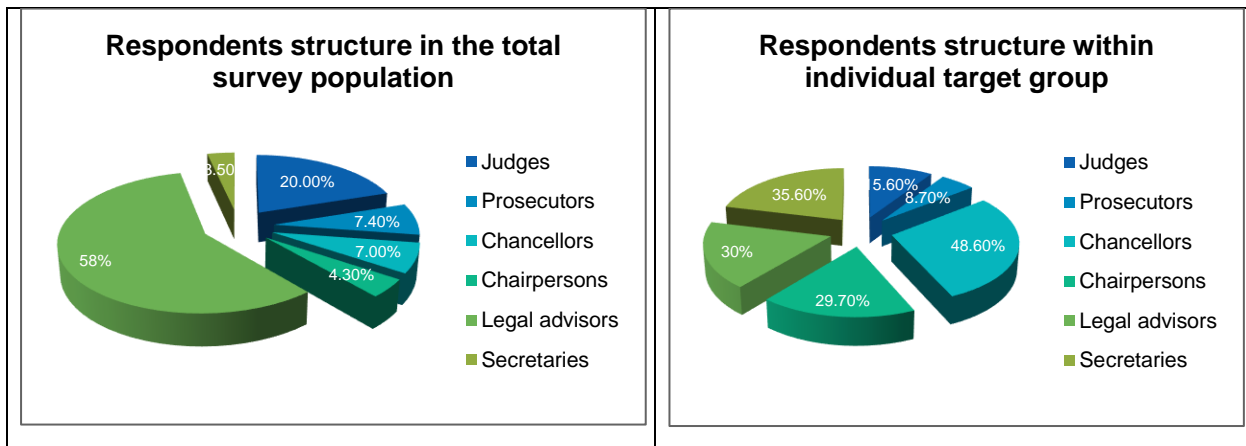
⁸district and appeal

- 148 (or 36 %), respondents were the secretaries (out of a total number of around 415 secretaries in district, appeal and administrative courts);
- 9 (or 30%) respondents were legal assistants (out of a total of 30 legal assistants)⁹



The exact number of the total population for each target group was difficult to find due to the changes that happen due to vetting process.

The biggest response rate was noticed among chancellors or 48.6% of the total number of Chancellors, whilst the lowest response rate is evident among prosecutors or 8.7% of the total number of prosecutors. In the total population sample secretaries were the biggest group.



⁹legal assistants are only working currently in the administrative courts

II. Analysis by target group

a. Target groups – JUDGES

Framework

The “Law no 96/2016 on the Status of Judges and Prosecutors in the Republic of Albania”, regulates the rights and obligations for continuous training of judges and prosecutors in Albania. According legislation continuous training for practicing judges (and prosecutors) in Albania is mandatory.

*“2. A magistrate must:
a) attend the continuous training in accordance with the legislation in force;
b) take all other reasonable steps to keep him/herself updated about relevant legislative and case law developments.”*
Article 5 para 2 “Law no 96/2016 on the Status of Judges and Prosecutors in the Republic of Albania”

Furthermore, the law also defines the minimum and maximum training hours.

*“a) not less than five full days per year and not less than 30 full days during five years;
b) not more than 40 full days per year and 200 full days during five years. “*
Article 5 para 3 “Law no 96/2016 on the Status of Judges and Prosecutors in the Republic of Albania”

In the last years the School of Magistrates offered to judges 20 hours training per year. The training topics for the last year training, are listed in the Annex 2.

The Law secures that the magistrate fulfils its obligation by participating only to trainings that are relevant to them and provided by a certified institution.

*“4. The magistrate shall meet his obligation to participate at the continuous training only in those instances where the training programs are:
a) **relevant** for his function;
b) **delivered** and **certified** by the School of Magistrates or any other national or international training facility as acknowledged by the Council. A copy of the certificate is put into the personal file of the magistrate.”*
Article 5 para 4 “Law no 96/2016 on the Status of Judges and Prosecutors in the Republic of Albania”

It is important to mention that the relevance of the training topic is mentioned once again with the same Law in relation to the responsibility of identifying training needs, which shows the level of importance that the legislator gives to identifying relevant training needs.

*“1. A magistrate has the right and the obligation to participate at continuous training program. A magistrate **may propose training topics and co-operate with the Council with a view of improving training programmes.**”*

Article 5 para 1 “Law no 96/2016 on the Status of Judges and Prosecutors in the Republic of Albania”

Furthermore, the responsibilities regarding conducting training needs analysis, developing training curricula and programmes are shared between the School and Councils.

*“6. **The Councils shall co-operate with the School of Magistrates for the training needs analysis and the development of training curricula and programmes.** The Councils shall adopt more detailed rules on the relevance and content of continuous training programs and eligible training facilities and the procedure to be provided with the permit to participate in a training course.”*

Article 5 para 6 “Law no 96/2016 on the Status of Judges and Prosecutors in the Republic of Albania”

The continuous training of judges is also subject of interest of the two policy papers: Cross Sector Justice Strategy 2017- 2021 and the Strategy of the School of Magistrates 2019-2023.

The second Goal in the Cross-Sector Justice Strategy 2017- 2021 focuses on consolidation of legal education and training as well as specialization of magistrates and court personnel. Though, one could say that at least 4 of the total 8 goals in order to be successfully met need to be supported with training tools. The Strategy also identifies lack of knowledge in the EU acquis as well as lack of resources within the SoM to implement its mandatory training programmes.

According to the Strategy of the School of Magistrates of the Republic of Albania (2019-2023) the focus of the trainings in the next period will be put on initial training of all beneficiary groups of the School. It seems that the School plans to reduce the number of trainings for practicing judges and prosecutors from 20 hours to 10 hours per year, due to the new competencies introduced with the last legislative changes regarding initial training programme of other categories of judicial civil servants.

“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.

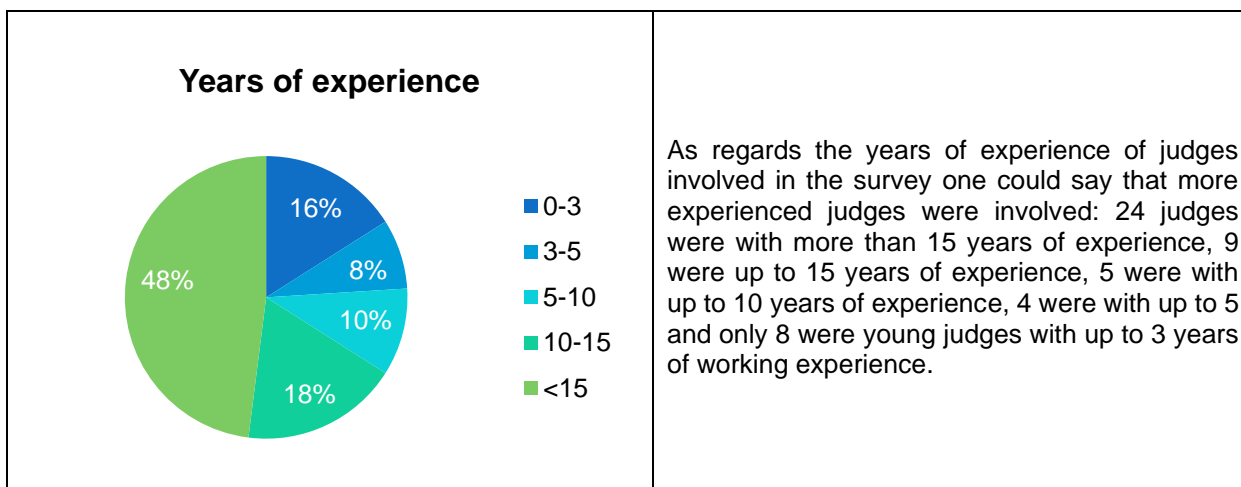
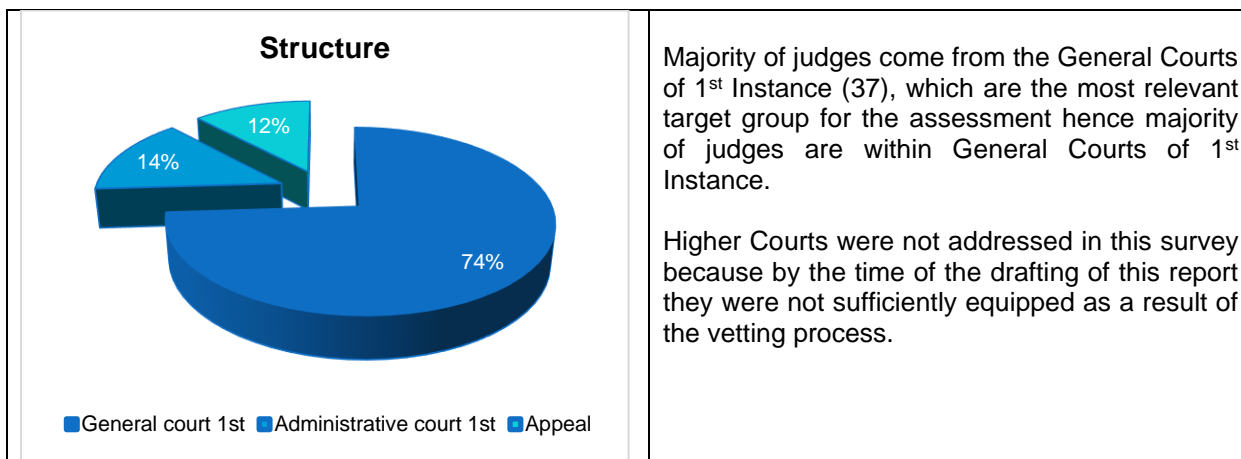
*But, in response to the emergency situation to increase the number of candidates for all groups in the initial training program, the school will focus more on this requirement and expects to **reduce the number of training activities** for the coming years to around 120-150 training sessions per year, enabling each magistrate to attend an average of **10 days** of training a year.”*

Strategy of the School of Magistrates of the Republic of Albania (2019-2023)

The training programme of the School as mentioned earlier is a “Calendar” list consistent of training topics, dates of the training, venue of the training and the name of the lecturer/trainer. According to the last Calendar 2017-2018 available, it seems that no distinction is made in regard to the different beneficiaries of the School services.¹⁰ Many of the trainings under above mentioned titles were repetitive to secure larger audience coverage.

Survey results

The total number of judges-respondents that participated to this survey was rather low, 50 out of approximately 320 judges. However, having in mind the on-going vetting process the reluctance of judges to participate to this survey is understandable.



¹⁰The list of topics put in the Annex 2

General Skills

Judges identified “Communication Skills” as the most important training topic to be addressed in the next period, followed by “Time Management Skills”. The next on the scale of importance are “Office Management”, “Public Relation” and “Interpersonal Relation”. As the last three necessary skills judges rated “Stress Management”, “IT Skills” and “Language Skills”. It has to be noted that there is not a significant difference between the first and the last ranked topic.



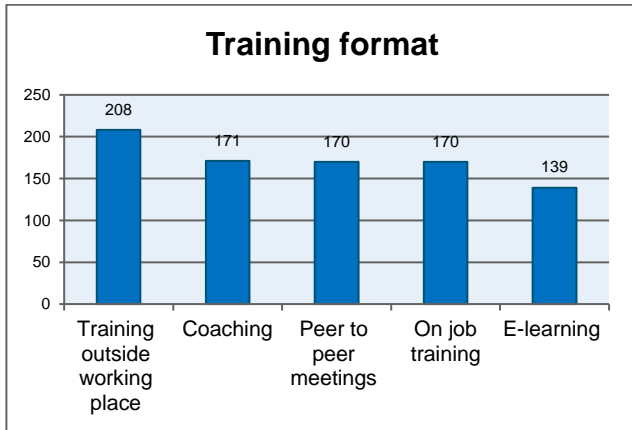
Special Skills

From the data received it is obvious that judges are of the opinion that they need a lot of training to enhance their specialized knowledge, skills and attitudes. They rated “Novelty in legislation” as the top priority for their professional development and upgrade. That is quite understandable having in mind the legislative changes in the area of the judiciary in the last years. They also scored high the” Supreme Court case law – recent developments”, “ECtHR case law – recent developments”, “Case Management” and “Reasoning and Judgment Drafting Skills”. Though still very high in terms of the need for training the judges consider “Legal Research & Legal Drafting” as the least important topic for the current knowledge and skills.

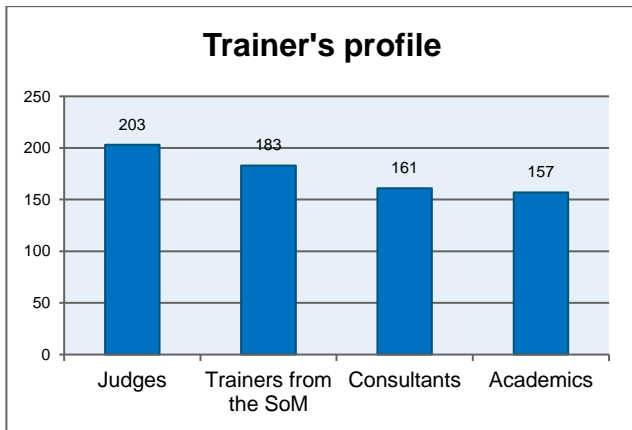


Training Methodology

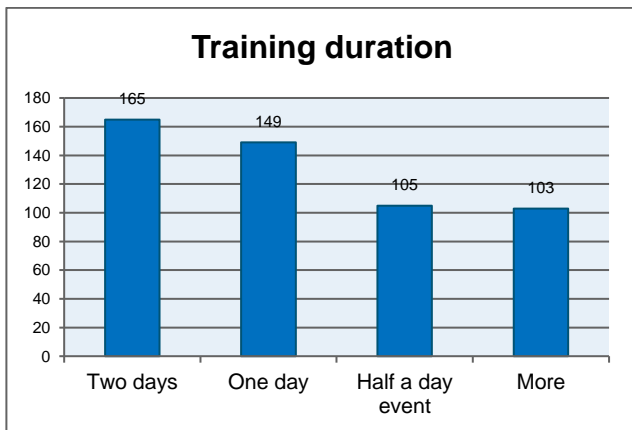
Training methodology was assessed through several indicators such as: training format, training duration and trainer’s profile. It seems that judges are in favour of training outside the office. At the same time their favourite training format is coaching, whilst e-learning is the least favourite form of training. Furthermore, they prefer judges as trainers, whilst academics are their least preferred trainer’s profile. They consider two days training event as the most beneficial while short (half a day) and longer trainings are not considered as adequate when training judges.



Judges in Albania are in favour of trainings organized outside working place. On the other hand, they ranked “coaching” as the most important training format. While “peer to peer meetings” and “on-the-job training” are the second on their list of preference. E-learning is still considered as the least important training format for judges.



Regarding trainer’s profile, the most preferred profession to provide training to judges are judges themselves. Second on the list are the trainers from the School of Magistrates. From judges’ perception the least favourite trainers are trainers coming from the Academia.



When training judges, judges consider as the most adequate training duration a two days training event. Long trainings are the least favourite together with the short – half a day training event.

Willingness to participate to trainings

Vast majority of judges (almost 80%) are not willing to participate to trainings organized during weekends. While they are very open (92%) to participate to joint trainings with other colleagues from the legal family.

Individual training needs

Judges also identified their individual training needs with an open-ended question. The additional trainings that they suggested as important for their professional development are given below in no particular order as suggested by the respondents:

- Training on ECtHR's recent policies;
- Training on the approximation of EU legislation;
- Trainings regarding changes in procedural and substantive legislation, both in the civil and criminal field, as well as trainings related to laws on the implementation of judicial reform;
- The ECtHR's judicial practice in Criminal and Civil Criminal and civil procedural law (ownership, legal order process, discrimination, citizen's administration report);
- Trainings related to legal writing;
- Property law; innovations, review procedures and interpretation of the law from the subject matter;
- Trainings on the theory of evidence.

Past trainings

According to judges' statements, in the last three years judges attended trainings on the topics:

- Amendments to the juvenile justice legislation;
- Public procurements under EE law, freedom of expression and hate speech, etc;
- Amendments to the Code of Criminal Procedure;
- Freedom of expression;
- Reasoning of Judicial Decisions;
- Trafficking in human beings and labour exploitation;
- Cyber Crime;
- The power of the Administrative Judge at the execution stage. Decisions and orders taken by the judge at the stage of mandatory execution of the executive title of the decision of the Administrative Court of first instance;
- Protocol XVI to the European Convention on Human Rights, European and Albanian dilemmas;
- Requests for interpretation of the High Court and the Constitutional Court to the ECtHR under Protocol XVI to the ECHR;
- Incidental judgment patterns according to the legislation of different countries;
- Administrative Justice. The nature of the administrative judgment and the powers of the administrative judge; Issues of legitimacy and competence of administrative courts;
- Types of lawsuits in administrative adjudication. The due legal process in the administrative adjudication;
- Law on the Bodies of the Justice System Governance no. 115/2016;
- Law on the Status of Judges and Prosecutors in the Republic of Albania no. 96/2018;
- Law on the Organization of Judicial Power in the Republic of Albania no. 98/2016;
- Trainings related to criminal and commercial practice.

- Specific training on the interpretation of the legislation
- Specific training on the use of IT technology and Information system
- Training on the project MATRA on the rule of law, in Netherland
- Training on the projects run by USAID on “Justice for all”
- Training related to the object of jurisdiction on the administrative courts
- Training on the right of the author (intellectual property), as organized by the Ministry of Culture
- Training on the adjudication of administrative disputes
- Training on the administrative law, constitutional law, human rights law, and European law

III. Recommendations – Target Group Judges

Judges perform crucial duties as protectors of rights and freedoms of people, in each society that respects the rule of law. Judges should decide cases in a timely manner and independently and give cogent reasons for their decisions. They must write in a clear and comprehensible manner. Therefore, their knowledge and skills need to be constantly enhanced.

It seems that judges in Albania are still having difficulties in drafting clear easy to read language. Their judgements are often long and difficult for understanding for ordinary people. Behind being too lengthy and lacking clarity judgements lack format, style and language proficiency.

The on-going vetting process is also a result of the mistrust that the society has in the Albanian judiciary. Integrity, impartiality and competence are essential to the proper discharge of the judicial office.

Therefore, the consultant is of the opinion that the training topics that should be considered as priority for judges in this current state of affairs should follow the order:

- Judicial Ethics & Deontology & Discipline
- Reasoning and Judgement Drafting
- Human Rights and Social Issues (e.g., critical thinking, problem solving, decision making, coping with stress, coping with emotions, self-awareness, communication skills, interpersonal relationship skills)
- Novelty in legislation
- Time Management

As for the update of their knowledge in regard to the recent developments in the case law both national and international, the case law should be streamlined in each subject matter and not artificially taken as a separate training topic.

Special curricula should be developed for judges dealing with juvenile justice and for the judges of the new court on anti-corruption and organized crime.

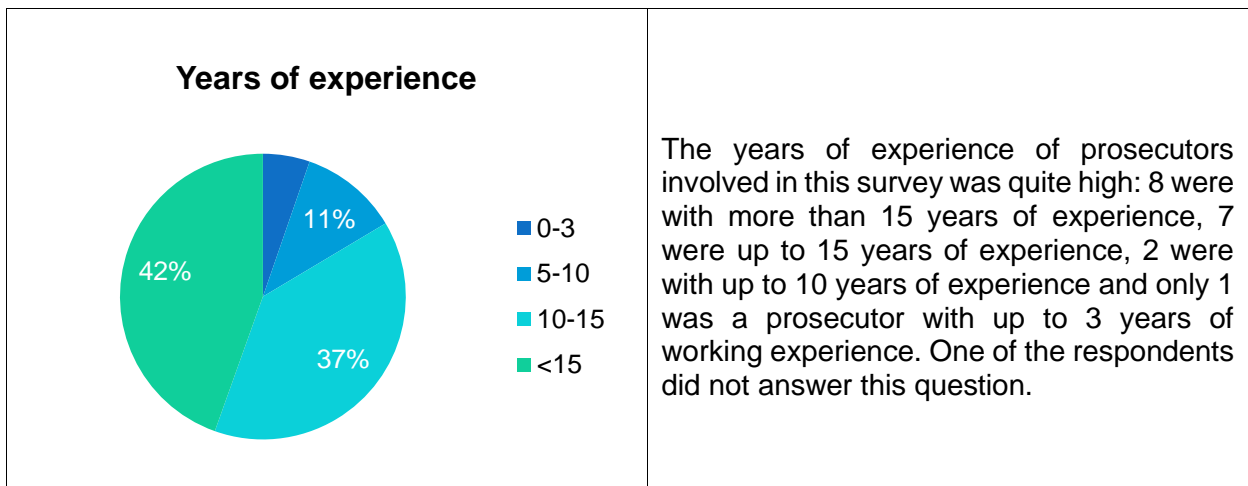
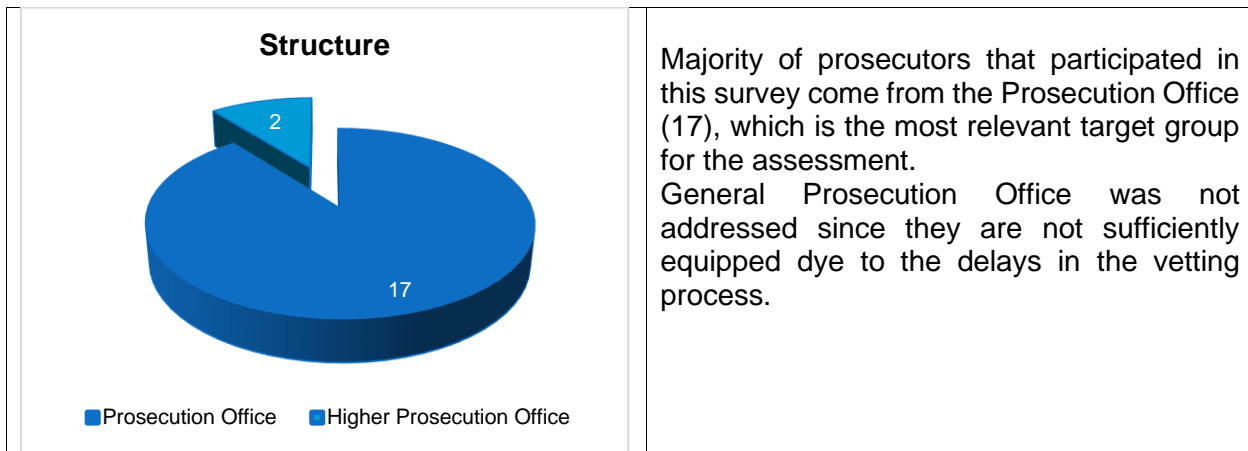
b. Target groups – Prosecutors

Framework

The “Law no 96/2016 on the Status of Judges and Prosecutors in the Republic of Albania”, regulates the rights and obligations for continuous training of judges and prosecutors in Albania. Therefore, whatever has been said earlier regarding the legislative framework for judges applies mutatis mutandis to prosecutors too.

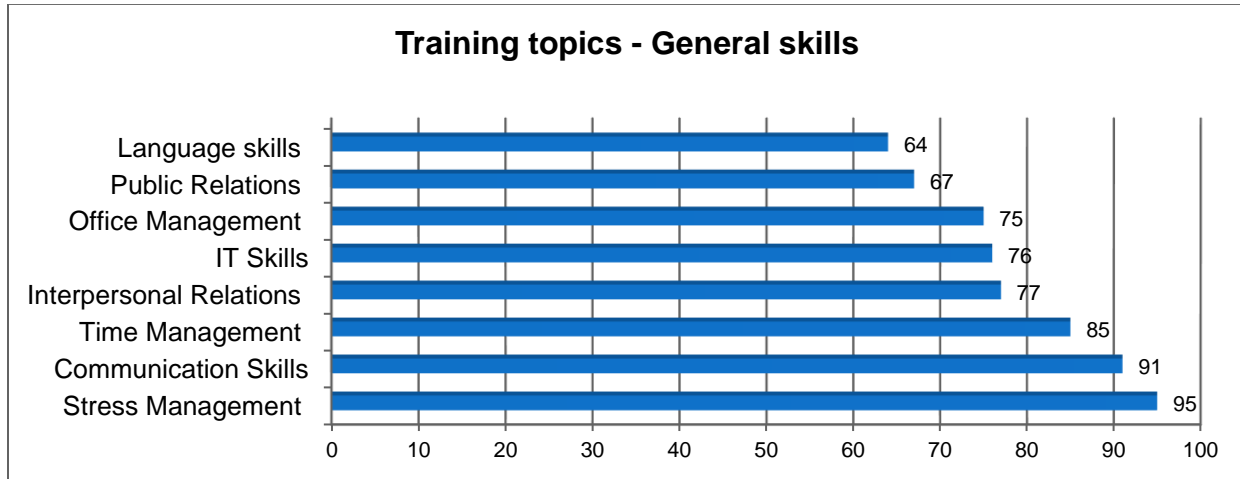
Survey results

The final number of prosecutors-respondents that participated to the survey was the lowest from all the target groups, 19 out of approximately 205 prosecutors. However, having in mind that the on-going vetting process applies to prosecutors too their reluctance to participate to surveys as well as to trainings are more than reasonable.



General Skills

Unlike judges, prosecutors identified “Stress Management” as the most important training topic to be addressed in the next period, followed by “Communication Skills” and “Time Management Skills”. The next in line are training topics such as “Interpersonal Relation”, “IT Skills” and “Office Management”. As the last in the scale of importance prosecutors rated “Public Relation” and “Language Skills”.



Special Skills

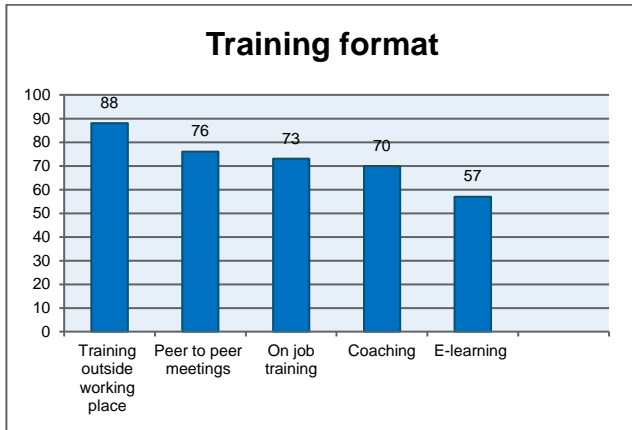
Prosecutors consider “Constitutional Court case law – recent developments” as the most important training theme for their professional development. They also rated “Novelty in legislation” very high, second on the scale of importance. Having in mind the volume of legislative changes in the area of the judiciary in the last years, this is expected. Third on the list is “Prosecutorial Role & Ethics”, which in expert’s opinion is given sufficient weight. In a contrary to judges they gave “European practices in specific areas” the lowest score.

Their interest in training is higher than with judges and their perception of necessary training for prosecutors seems more genuine and closer to their real needs. The same as in the case of judges, it has to be noted that there is no significant difference between the first and the last ranked topic. All the scores are very close and very high.

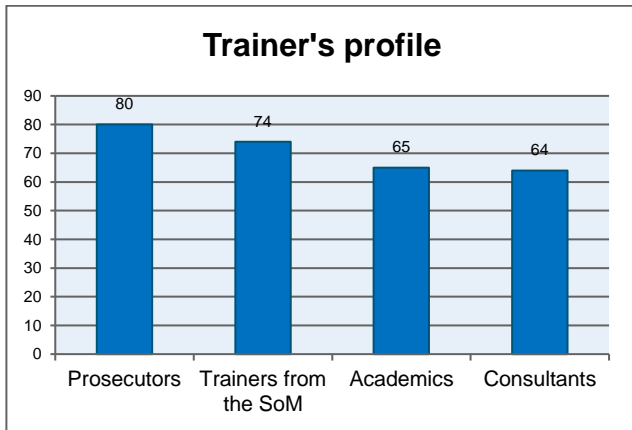


Training Methodology

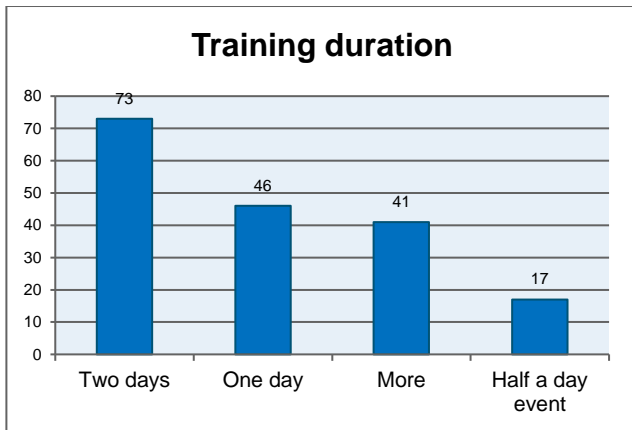
Training methodology was assessed through several indicators such as: training format, training duration and trainer’s profile. It seems that prosecutors are also in favour of training outside the office. Their favourite training format is peer-to-peer meetings, whilst e-learning is the least favourite form of training. Furthermore, they prefer prosecutors as trainers, whilst consultants are their least preferred trainer’s profile. They consider two days training event as the most beneficial when training prosecutors.



Same as judges, prosecutors prefer trainings organized outside working place. For the prosecutors “peer to peer meetings” are considered as the most important training format. While “on-the-job training” and “coaching” are considered slightly less favourite. E-learning is still considered as the least important training format for prosecutors.



Their favourite trainers are their peers – prosecutors, but they also favour trainers from the School of Magistrates before Academics and Consultants.



Like judges, prosecutors are in favour of a two days training event. They consider short – half a day training event as the least important when training prosecutors.

Willingness to participate to trainings

Majority of prosecutors (68.2%) are not willing to participate to trainings organized during weekends. While they are very (100%) much in favour of joint trainings with other colleagues from the legal family.

Individual training needs

As additional training topics prosecutors identified trainings on:

- Preliminary investigation related to the agreement;
- The role of the victim in the legal process;
- Implementation in the Judicial Practice of the Criminal Justice Code for Minors;
- Implementation of amendments to the Code of Criminal Procedure in Judicial Practice;
- Professional English and to learn more the Excel in order to maintain statistical data;
- How to write and justify procedural acts;
- Case law of ECtHR;
- Case law of High court and Constitutional court;
- Interpretation of criminal law (article 59), criminal offences against persons, economic crimes etc;
- On the electronic data, electronic information system;
- The law on procedures of duty system, custom system;
- The law on the registering of immovable properties.

Past trainings:

In the last three years prosecutors attended following trainings:

- Standards in relations between judges and prosecutors as well as relations between judges and lawyers;
- Development of a trial process within a reasonable time frame;
- Proactive investigations;
- Cybernetic crime;
- Defendant as a Justice Associate;
- Property Investigation;
- Concealment of Income and Economic Crime;
- War against corruption;
- Protection of collaborator and witnesses, murder under condition of moment mental shocking;
- Drug Trafficking;
- Criminal offences in the field of custom system;
- The status and position of the defendant under investigation;
- Ethics;
- The role of media;
- Prevention and fight against organized crime;
- Insolvency;
- Fight against trafficking in human beings;

- The criminal structural grouping as a specific form of collaboration;
- Money laundering;
- Crimes against environment;
- Witnesses with hidden identity;
- Accounting for judges and prosecutors;
- European law;
- Law anti-mafia;
- Specific methods for investigation.

IV. Recommendations - target group prosecutors

Like judges, prosecutors too are play a key role as protectors of rights and freedoms of people. *“In all cases and at all stages of the legal proceedings, prosecutors contribute to ensuring that the rule of law and public order are guaranteed by the fair, impartial and effective administration of justice.”¹¹*

Prosecutors play a fundamental role for the proper functioning of criminal justice systems; they decide whether or not to initiate or continue a prosecution, conduct the prosecution before an independent and impartial court established by law and decide whether or not to appeal decisions by that court. The role, tasks and responsibilities of prosecutors are immense, both within and outside the field of criminal justice and consequently their level of competence should be adequate, and knowledge and skills continually upgraded.

The on-going vetting process is also a result of the mistrust that the society has in the Albanian judiciary. Prosecutors same as judges are bond by international principles of conduct based of integrity, impartiality, transparency and competence in the discharging their duties.

Therefore, the consultant is of the opinion that the training topics that should be considered as priority for prosecutors in this current state of affairs should follow the order:

- Human Rights and Social Issues (e.g., critical thinking, problem solving, decision making, coping with stress, coping with emotions, self-awareness, communication skills, interpersonal relationship skills);
- Judicial Ethics & Deontology & Discipline;
- Drafting and Justifying Legal Acts;
- Novelty in Legislation;
- Time Management;
- Cybercrime;

¹¹ CCPE Opinion No.9 (2014)

As for their interest put to the recent developments in the case law both national and international, the consultant suggest that the case law is streamlined in each subject matter.

c. Target Group – Chairpersons

Framework

The competencies of the Chairperson of a court or prosecution office are defined by the “Law no. 98 / 2016 on the Organisation of the Judicial Power in the Republic of Albania” and the “Law no 96/2016 on the Status of Judges and Prosecutors in the Republic of Albania”. The responsibilities and duties of a Chairperson is responsible for the overall judicial management and his/her duties can be clustered in three main functions: judicial, managerial and organizational.

- “a) Represents the court in relations with third parties;*
- b) Adopts, at the beginning of year, a list that is updated whenever needed, assigning judges for trials in urgent cases as determined by law, by alphabetical order on the basis of surname, in accordance with the rules established by the High Judicial Council;*
- c) Maintains contacts with the control groups of other state institutions, becomes acquainted with the purpose and object of the control and creates possibilities for them to perform the duty;*
- ç) Oversees that judicial ethics and solemnity are observed, as well as co-operates with the High Judicial Council in regard to the ethical and professional evaluation of judges;*
- d) Oversees the judges’ work discipline and requests the initiation of investigations into an alleged disciplinary misconduct of the judges at their courts;*
- dh) Ensures the organisation and the functioning of judicial administration in the court in regard to non-judicial activities via the chancellor, unless otherwise provided by this law;*
- e) Convenes, prepares and chairs the meetings of the general meeting of judges and the Court Council, unless otherwise provided by this law;*
- ë) Guides and supervises the chancellor;*
- f) Verifies complaints, investigates disciplinary misconducts and proposes the initiation of disciplinary proceedings against the chancellor;*
- g) Takes actions and decisions in relation to the status of judicial civil servants as provided by this law;*
- gj) Ensures the implementation of decisions of the High Judicial Council, in particular in regard to the measures aiming at enhancing the efficiency and quality of judicial services;*
- h) Ensures access and the manner of using the case management system in compliance with the general state policies in the field of technology and security of information and rules adopted by the High Judicial Council in accordance with provisions of the Law “On Governance Institutions of the Justice System in the Republic of Albania”;*
- i) Performs any other tasks in regard to non-judicial activities of the court as set out by law or decision of the High Judicial Council.”*

Article 37 “Law no. 98 / 2016 on the Organisation of the Judicial Power in the Republic of Albania”

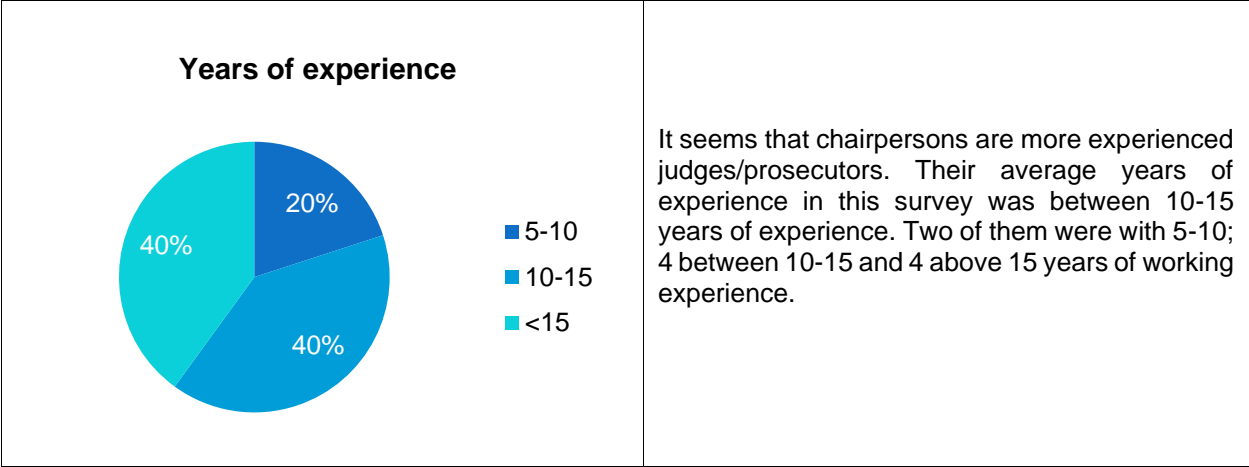
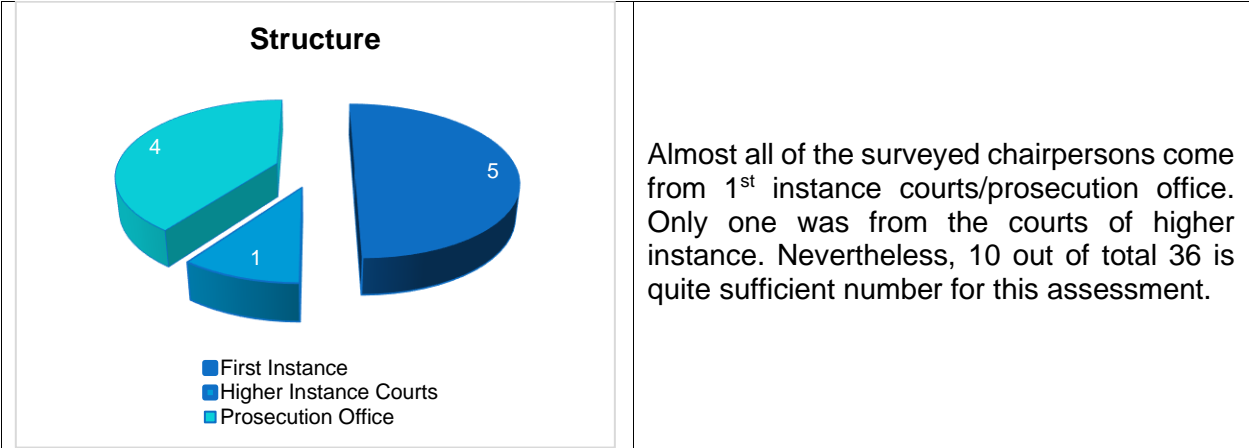
Though competencies are clearly distinguished with the legislation, in practice the role of the chairperson and chancellor are still facing problems in determining responsibilities especially in the areas where they touch the most, and that is judicial administration.

In terms of training programme there is no specific training programme initial nor continuous that addresses the training needs of chairpersons. The same calendar of training topics offered by the SoM is offered to chairpersons too.

In the past several years, Chairpersons has also been offered several trainings which by donor support were offered to Chancellors too.

Survey results

The percentage of chairpersons-respondents that participated in this survey was 29% in relation to their total population. Hence they are at the same time judges and prosecutors, their answers were considered as relevant for those two target groups too, and where necessary mutual questions crosschecked for better validation.



General Skills

The chairpersons identified “Public Relations” as the most important training topic. They also state that they need skills enhancement in regard to “Time Management”, “Performance Evaluations”,

Communication and “Leadership”. “Office Management” and “Language Skills” they scored the last. Once again it has to be noted that there is no significant difference between the first and the last ranked topic. All the scores are very close and very high.



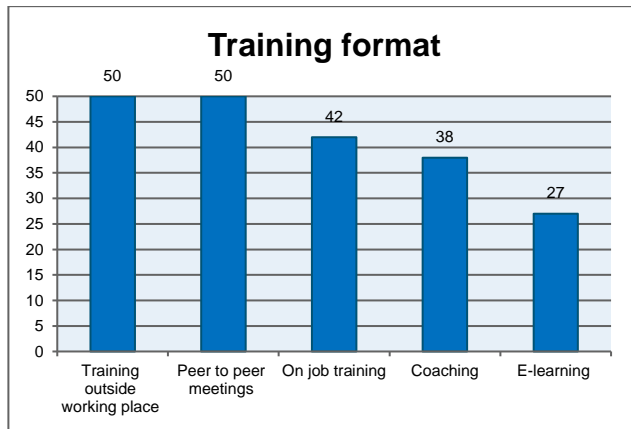
Special Skills

For Chairpersons the most important is to enhance their knowledge “ECtHR case law – recent developments”. The second in the scale of importance is the “Novelty in Legislation” followed closely by “Judicial Role & Ethics”. They considered “European practices in specific areas “Human Rights and socially important skills” and “Legal Research”, as the least important training topics for chairpersons.

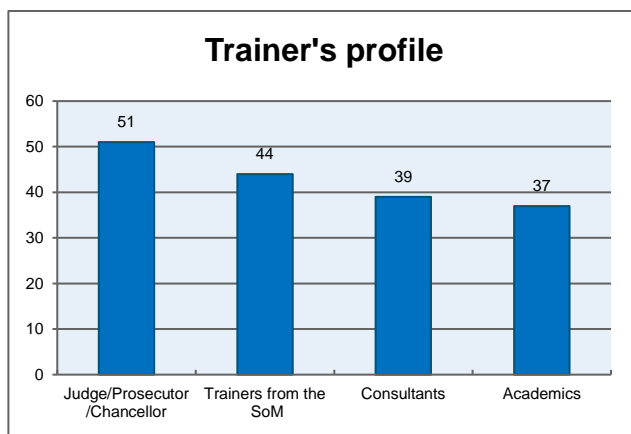


Training Methodology

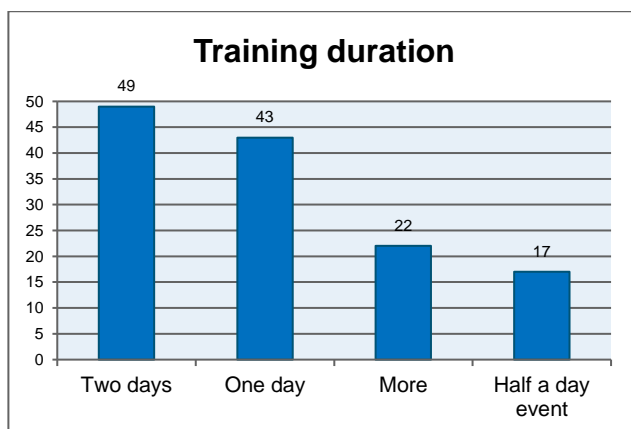
Training methodology was assessed through several indicators such as: training format, training duration and trainer's profile. It seems that chairpersons are also in favour of training outside the office. The same as prosecutors their favourite training format is peer-to-peer meetings, whilst e-learning is the least favourite form of training. Furthermore, they prefer peers as trainers, whilst academics are their least preferred trainers. They consider two days training as the most beneficial training event.



Same as judges and prosecutors, chairpersons prefer trainings organized outside working place. Again “peer to peer meetings” are considered as the most important training format. While E-learning is still considered as the least important training format but in case of chairpersons even more than others.



Judges/Prosecutors/Chairpersons are the most favourite trainers, followed by the trainers of the School of Magistrates. The least favourite trainers for chairpersons Academics.



Like judges and prosecutors, the most preferable training duration is a two days training event. They gave significantly lowest scores (almost double less) to longer and shorter training events.

Willingness to participate to trainings

Vast majority of chairpersons (82%), like judges, are not willing to participate to trainings organized during weekends. On the other hand, they are willing, 90% of them, to participate to joint trainings with other colleagues from the legal family.

Individual training needs

According to chairpersons they need more trainings in:

- Excel office for data processing;
- The jurisprudence of the ECHR, European and Constitutional Court practices;
- The procedural aspects of the Code of Civil Procedure;
- The anti-mafia law;
- Trafficking in Narcotics and Human Beings.

Past trainings

In the last three years chairpersons attended following trainings:

- Seminar on Resettlement of Changes in Codes of Procedures;
- USAID, OSCE and Council of Europe trainings;
- Electronic communications;
- Ethics of judges and prosecutors;
- Trainings on tax, customs and civil procedure codes;
- Money laundering;
- Anti-mafia law.

V. Recommendations – target group Chairpersons

Regarding priority trainings in case of Chairpersons the trainings should be divided according their dual roles as judges/prosecutors and as Chairpersons.

The priorities regarding their position as a judge/prosecutor are referred in the chapter for judges and prosecutors.

With respect to their role as Chairperson, the consultant is of the opinion that they should follow the order noted below.

- Leadership Skills
- Strategic Planning Skills
- Judicial Ethics & Deontology & Discipline
- Performance Evaluation

- Time Management
- Communication Skills (including Public Relation and Interpersonal Relation)

Team Building Activity on a level of individual court/prosecution, should be organized on annual bases together with a strategic planning workshop where the programme and the budget for the next years is drafted. Of course, as usual, participants to the Team Building Activity should be all employees of one court/prosecution or representatives of all the positions in one court or prosecution office.

For synergetic effects the Leadership module can also be offered to Chancellors as well as Strategic Planning and Time Management.

VI. Judicial Administration – Judicial Civil Servants

The Law no. 98 / 2016 on the Organisation of the Judicial Power in the Republic of Albania defines the categories of Judicial Civil Servants.

According to article 50 the categories of judicial civil servants in Albania are:

- a) *Chancellor;*
- b) *Legal Advisor in the High Court;*
- c) *Legal assistant in a Court of Appeal;*
- ç) *Chief Secretary;*
- d) *Judicial secretary;*
- dh) *Finance and budget officer;*
- e) *Other judicial civil servants working in the field of legal research and documentation, human resources, information technology, archives, and public relations, external or media relations.”*

For the purpose of this assessment the focus will be put on the first four judicial posts, the positions which are more relevant for court/prosecution key competencies.

The Law also defines the professional education of these target groups and subsequently establishes the mandatory nature of both initial and continuous training programmes.

- 1. “The professional education of judicial civil servants shall be ensured through the inclusion of the judicial civil servants into the following programs:*
- a) The initial training program, on the basis of which the judicial civil servants recruited in the judicial civil service shall be trained within their probation period;*
 - b) The continuous training program, which shall be attended by incumbent judicial civil servants.”*

Article 52 para 1 Law no. 98 / 2016 on the Organisation of the Judicial Power in the Republic of Albania

Furthermore, the Law identifies the bodies responsible for designing and organizing the trainings for these categories of judicial civil servants. The School of Magistrate is the responsible training institution in cooperation with relevant state institutions: for training judges the High Council of Justice and the School of Magistrates; for prosecutors the High Prosecutorial Council and School of Magistrates and for the judicial civil servants the Ministry of Justice and the School of Magistrates.

...2. The School of Magistrates in cooperation with the High Judicial Council, Ministry of Justice, courts and other institutions shall ensure the initial and continuous training of chancellors, legal advisors of the High Court and other legal assistants, as well as shall prepare the curricula for the initial training for chancellors for a period of at least three months and for legal advisors and legal assistants for a period of at least nine months, under the conditions set out in the Law “On Governance Institutions of the Justice System in the Republic of Albania”.

3. The High Judicial Council in cooperation with the School of Magistrates, Ministry of Justice, courts and other institutions shall ensure the initial and continuous vocational training of other judicial civil servants and shall prepare the curricula for their initial training for a period of one month, at least.

4. The School of Magistrates shall adopt more detailed rules on the initial and continuous training of chancellors, legal advisors and legal assistants. The High Judicial Council shall adopt more detailed rules on the initial and continuous training of all other judicial civil servants...”

Article 52 para 2,3,4 Law no. 98 / 2016 on the Organisation of the Judicial Power in the Republic of Albania

Finally, worth to mention here is the role of judicial servant in the training needs assessment process. According art.65 para 2 of the same Law, “...By means of this self-evaluation, the judicial civil servant shall describe the activities, **identify training needs**, suggest improvement to work conditions and measures for his/her professional development, identify weaknesses and strengths in regard to each evaluation criterion.”

This role was not given by the legislation to judges and prosecutors, though the School of Magistrates through the evaluation questionnaire also collects their opinions for their future training needs.

d. Target Group – Chancellors

Framework

The Law no. 98 / 2016 on the Organisation of the Judicial Power in the Republic of Albania also determines the competences of the Chancellor, which are merely of managerial nature.

“1. The chancellor shall be responsible for managing the court administration and in particular shall have the following competences:

- a) Be a voting member of the Court Council in compliance with Article 27 and of the Restructuring Committee according to Article 66 paragraph 6 of this Law;*
- b) Takes actions and decisions in relation to the status of judicial civil servants as provided by this law,*
- c) Oversees the organisational and documentation process of allocation of judicial cases by lot;*
- ç) Appoints, guides, supervises and dismisses court employees;*
- d) Oversees the maintenance of the court premises;*

2. The chancellor shall, upon consultation with the chairperson of the court, be responsible for the:

- a) Functioning of the case management system in the court in accordance with the legislation in force on technology and security of information, overseeing the accurate gathering and processing of data;*
- b) Delivery of periodical reports to the High Judicial Council on the usage and functioning of the case management system;*
- c) Reporting without delay to the High Judicial Council on needs and necessary updates of functions of the case management system;*
- ç) Guiding and supervising the work of the judicial civil servants of the court;*
- d) Gives the High Judicial Council and the Ministry of Justice access to statistical data to the extent these institutions need to exercise their competences as established by law;*
- dh) Performs any other task as set out by law or as authorised by the chairperson.”*

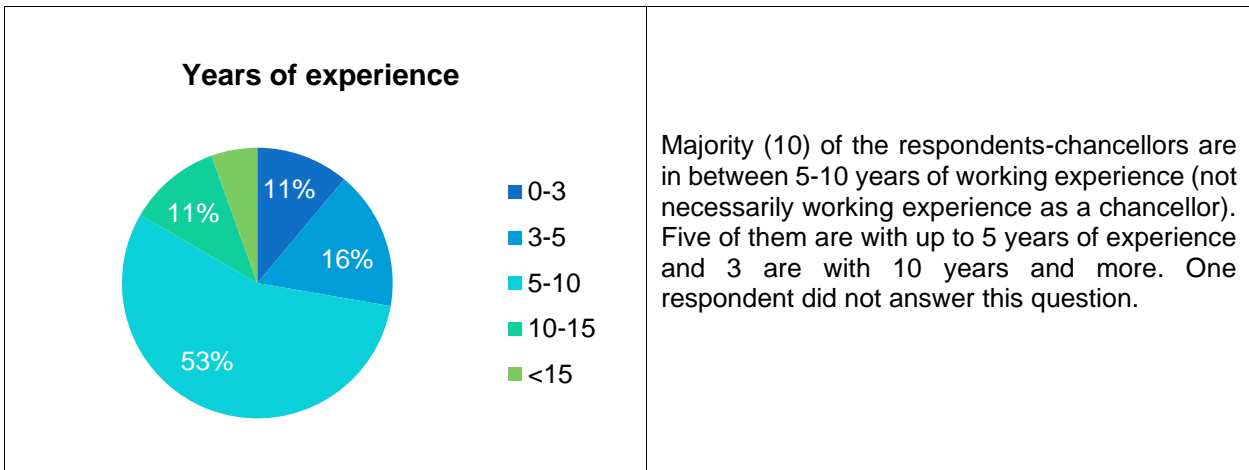
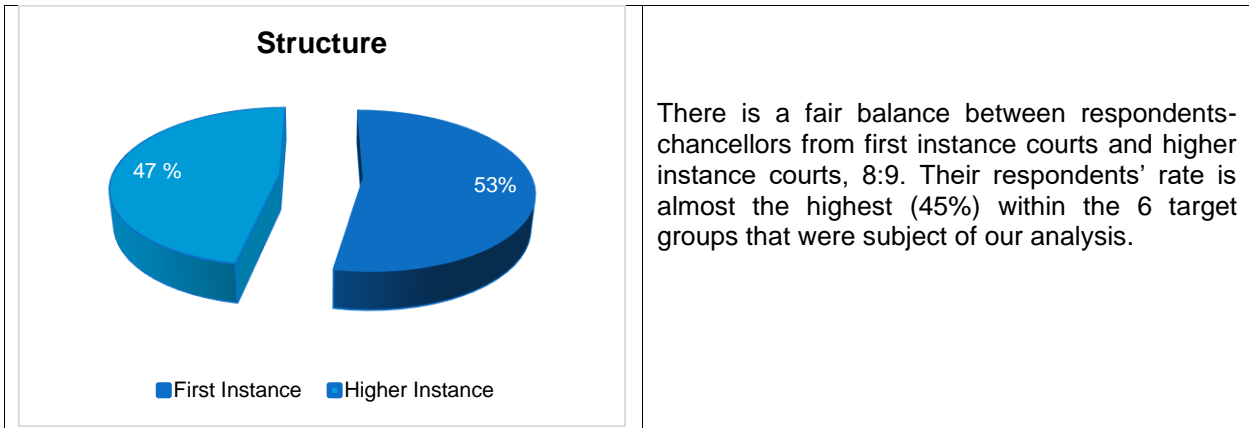
Article 39 Law no. 98 / 2016 on the Organisation of the Judicial Power in the Republic of Albania

These competencies entrusted to the Chancellor with the legislation should be transformed in a training programme: initial and continuous. As mentioned earlier this assessment report only deals with the continuous training programme however having in mind that the position of a Chancellor is a relatively new position in Albania and that initial training programme is still not in place, in the next period initial and continuous training programme for Chancellors will inevitably collate.

The USAID project “Access to Justice” in cooperation with the School of Magistrates has developed the initial training curriculum which includes 9 core and 4 more specialized modules, and they will be piloting the shortened curriculum with the 9 core modules in the summer in a duration of 8 weeks.

Survey results

The number of chancellors that participated in this survey was the highest in comparison to their total population, 17 out of approximately 38 chancellors. Their input was also very valuable during meetings and trainings.



As to the educational background 15 of them are with university degree while 2 are with master's degree. It is not clear if they are with a legal or business educational background.

General Skills

For chancellors the top three training topics are: "Knowledge of laws governing court organization & procedure", "Case Management" and "Judicial Data Gathering & Analysis". They also put high on their list training topics such as: "Knowledge of laws governing procedures in criminal, civil and administrative cases" (dependent on the area involved in), "Court Security and Safety" and "Knowledge of Freedom of Information & Open Records Acts". The last on the importance scale for chancellors is "Fair Trial & Reasonable Time", probably because of the fact they all participated to trainings organized by CoE CEPEJ in the last three years. Once again it should be noted that there is not a big differentiation in terms of importance, all the scores are very close and very high.

Chancellors also show very high interest to trainings.

Training topics - General skills



Special Skills

The most important training topics for the next period for the chancellors are: Strategic Planning & Organizational Development”, “Total Quality Management” and “Fostering & Reinforcing Ethics & Integrity”. Very close come HR management issues such as: Human Resources Management Implementing Disciplinary Policies & Procedures Performance Management & Evaluations” and “Recruitment & Selection of Personnel”. Issues relating to retirement are not considered important at this stage of the organizational development. In the middle on the scale of importance they have put “Stress Management Strategies” and “Sexual Harassment” and “Violence in the Workplace”.

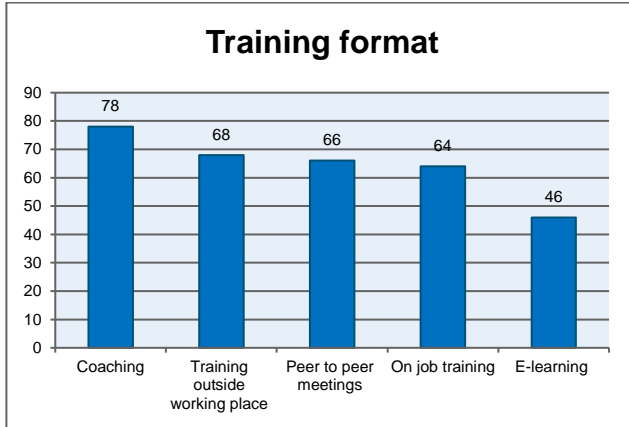
Their interest in training is higher than with judges and prosecutors, and their perception of necessary training for chancellors is better articulated.

Training topics - Specific skills

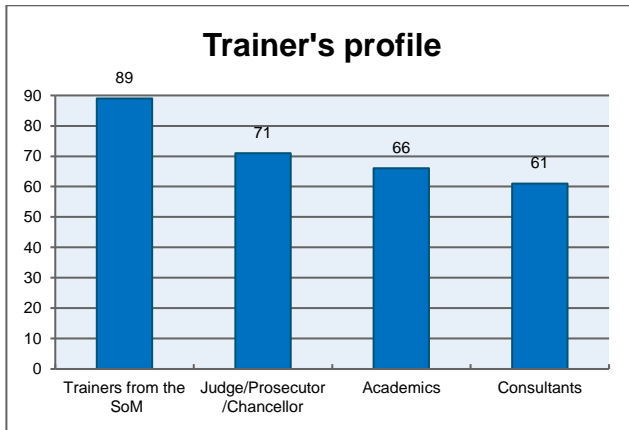


Training Methodology

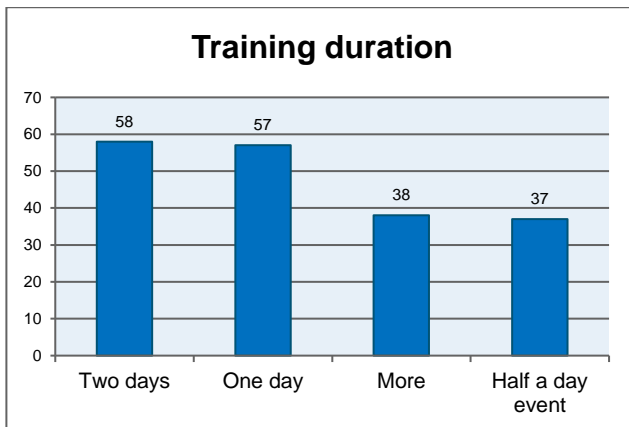
Training methodology was assessed through several indicators such as: training format, training duration and trainer's profile. As all the other target groups chancellors too are in favour of training outside the office. Coaching is their favourite training format closely followed by peer-to-peer meetings, whilst e-learning is the least favourite form of training. Furthermore, they prefer trainers from the School of Magistrates as trainers, whilst consultants are their least preferred trainers. They are of the opinion that both two days training and one day training event are the most beneficial training event for chancellors.



Coaching is the most appreciated form of training, followed peer to peer training and on job training. Like everybody else they also score very high training outside working place. E-learning is last as usual but still much higher scored than among judges and prosecutors.



The chancellors are the only target group that identified trainers from the School of Magistrates as the best trainer's profile when training chancellors, significantly dominated opinion. Second on the list are their colleagues/chancellors, judges and prosecutors and last of importance for the chancellors are external consultants.



Like everybody else in this survey, chancellors prefer a two days training event. They consider long and short – half a day training events as the least important when training chancellors.

Willingness to participate to trainings

With chancellors the situation regarding trainings on weekends is rather different. Majority of them (72.2%) are willing to participate to trainings organized during weekends. At the same time, they are eager (100%) of joint trainings with other colleagues within judiciary.

Individual training needs

As additional training topics chancellors identified trainings on:

- The Law on Legal Aid;
- The Law on Financial Control and Management;
- Ethics Code - Conflict of Interest;
- The new role of the chancellor;
- Processing and the management of statistic data;
- Changes to the Codes of Procedures and specific legislation on public procurement.

Past trainings

In the last three years, there were many trainings offered to the chancellors. The training topics they identified as worth to mention are:

- USAID and EURALUS trainings with different topics;
- Time management and calculation of the Clearance Rate;
- Chancellor Training on Judicial Statistics and Judicial Time Management;
- Action Plan 2018-2021 on the implementation of the Anticorruption Strategy;
- Strengthening Efficiency and Quality in the Justice System;
- Seminars organized by CEPEJ;
- Open court hearings and transparency in the courts;
- Judicial administration as a profession;
- An electronic system for recording data and tracking them in cases of corruption;
- Audio digital recording system in the courts;
- Evidence taken in contravention of the law and their inability to get used.

VII. Recommendations - Target Group Chancellors

Having in mind mostly managerial work of the chancellor's post, it is more than expected that they need to possess managerial skills to efficiently run an organization.

Therefore, trainings in the area of Human Resources Management & Development are the highest priorities in line with their role as a court/prosecution manager.

With respect to their role as Chancellor, the consultant is of the opinion that in the next period the focus of the trainings should be put on:

- Human Resources Management & Development (Recruitment & Selection of Personnel; Implementing Disciplinary Policies & Procedures; Performance Management & Evaluations; and Recruitment & Selection & Promotion of Personnel);
- Strategic Planning & Organizational Development;
- Financial Management & Budgeting;
- Total Quality Management;
- Judicial Ethics & Integrity;
- Leadership Skills;
- Fair Trial & Time Management;
- Judicial Data Gathering & Analysis;
- Case Management;
- Legislation governing procedures in criminal, civil and administrative area.

Team Building Activity is an important event for organizational growth. Implemented at a level of individual court/prosecution, it should be organized on annual bases together with a strategic planning workshop where the programme and the budget for the next years are drafted. As mentioned under the Chairperson part the participants to the Team Building Activity should be all employees of one court/prosecution or representatives of all the positions in one court or prosecution office.

For synergetic effects the “Leadership Skills”, “Strategic Planning” and “Fair Trial & Time Management” modules can be organized in a joint trainings together with Chairpersons.

e. Target Group – Legal Advisors/Assistants

Framework

Judicial services are performed by legal advisors in the High Court and legal assistants in the courts of appeal, chief secretary and judicial secretaries.

According to the article 50 of the Law no. 98 / 2016 on the Organisation of the Judicial Power in the Republic of Albania, there are two categories of legal assistants:

-*Legal Advisor in the High Court;*

-*Legal Assistant in a Court of Appeal.*

Duties of the legal assistants are defined by the Law no. 98 / 2016 on the Organisation of the Judicial Power in the Republic of Albania.

“legal assistants shall in particular:

a) Analyse the relevant case law on the interpretation of provisions applicable in pending cases;

b) Process cases and prepare standard and simple cases with low complexity in decision making by the judge;

c) Perform other tasks for the processing of the case as requested by a judge or as provided by law.”

Article 42 para 2. of the Law no. 98 / 2016 on the Organisation of the Judicial Power in the Republic of Albania

The duties of the Legal Advisors¹ are defined by the Law on High Court.

“Legal assistants study appeals and judicial files, prepare reports giving their opinion on pending cases, answer complaints, prepare necessary materials and perform every other task assigned by the High Court judge.”

Article 21 of the Law on High Court

The Law does not mention legal assistants on the level of 1st instance, but in our survey, it seems that they exist. Job descriptions for these positions should be drafted by the High Judicial Council, however till the time of drafting of this report they were not made available to the expert. It is not clear if they have existed prior to the establishment of the new HJC.

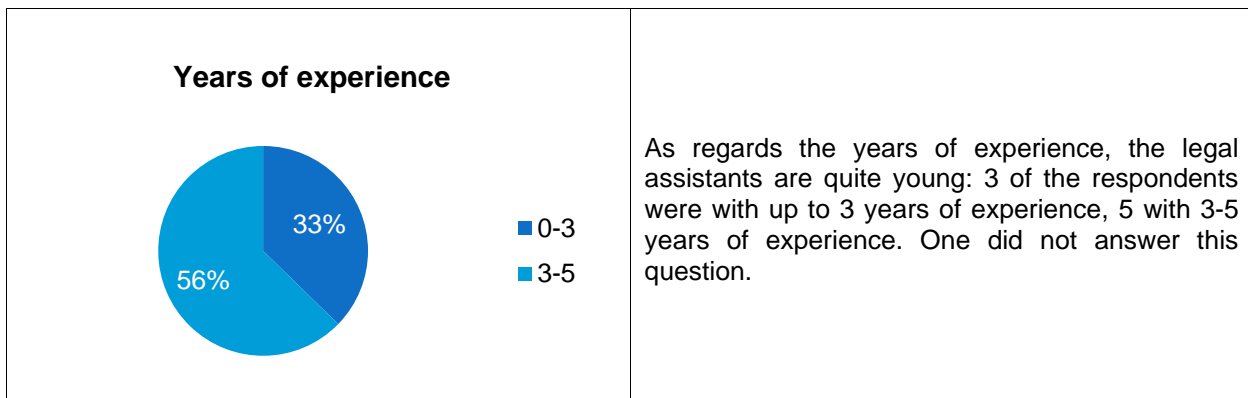
They are also severely neglected in terms of training. Having in mind the scope of their work they should be provided almost the same training as the one offered to judges/prosecutors.

Survey results

From the total number of 30 legal advisors/assistants 9 participated in the survey.



As for their educational background, besides the prerequisite of law degree, 6 of them also have master's degree.



General Skills

For the legal assistants/advisors the most necessary general skills are “Legal writing skills”, therefore they ranked the highest on the scale of importance. The next in the row are “Stress Management”, “Legal Research” and “Time Management Skills”. They considered “Office Management” as the least important skill for their job.

Training topics - General skills



Special Skills

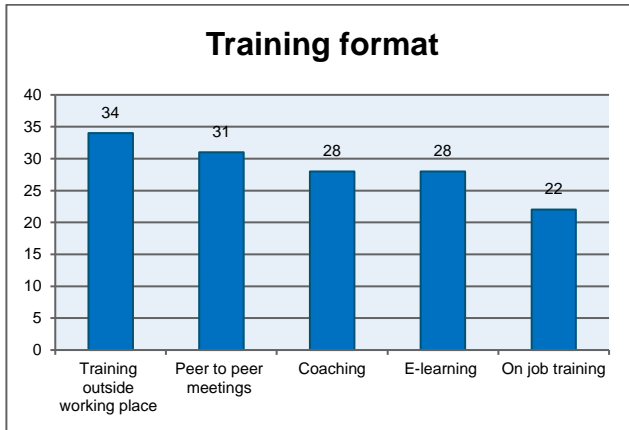
Legal Assistants/Advisors considered “Supreme Court case law – recent developments” and “Constitutional Court case law – recent developments” as the most important training themes for their professional development. They also rated “Legal Research” and “Novelty in legislation” very high. The last on the scale of importance is “Judicial Role & Ethics”, which in expert’s opinion is not given sufficient weight.

Training topics - Specific skills

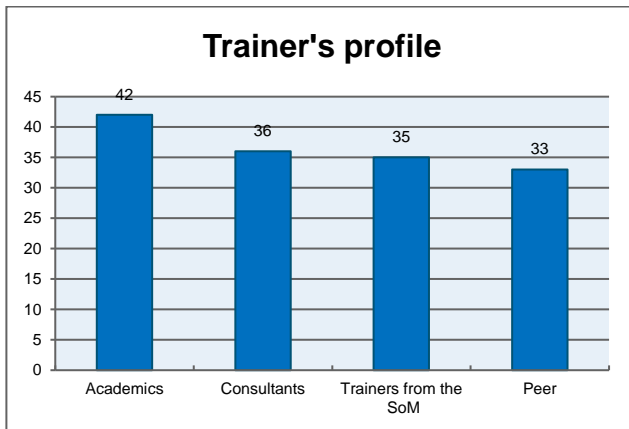


Training Methodology

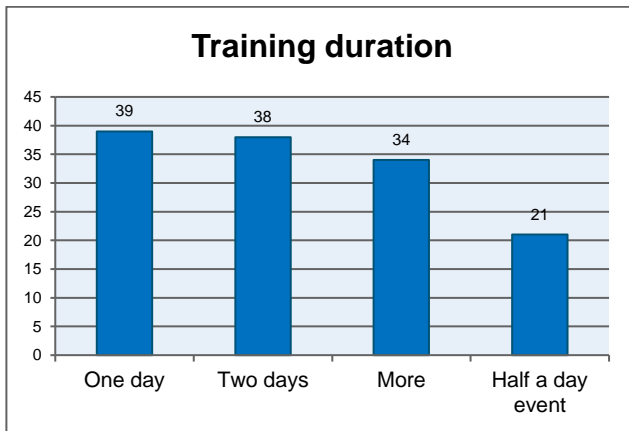
As all the other target groups legal assistants/advisors prefer training outside the office. Peer-to-peer meetings is their favourite training format closely followed by coaching and e-learning. On job training is the least favourite form of training. They are the only ones that prefer academics as trainers, and peers as the least adequate when training legal assistants/advisors. They are also unique in preferred duration of training: one day training event slightly preferred over two days training as the most beneficial training event for legal assistants.



Legal assistants/advisors also prefer trainings organized outside working place. For them “peer to peer meetings” are considered as the most important training format. While E-learning together with “coaching” are ranked very high on their list of importance. Actually, except on job training the other training formats are almost of the same importance for the legal assistants/ advisors.



They prefer Academics as trainers, while peers they consider as the least important trainer's profile when training legal assistants.



Slightly better they prefer one day training then two days training event, which makes them unique from the surveyed target group in terms of preference of training duration. They consider short – half a day training event as the least important when training legal assistants/advisors.

Willingness to participate to trainings

Majority of legal assistants (67%), are also not willing to participate to trainings organized during weekends. With chancellors the situation regarding trainings on weekends is rather different. However, all of them are willing, to participate to joint trainings with other colleagues from the legal family.

Individual training needs

As additional training topics legal assistants/advisors identified trainings on:

- Training on the changes in the legislation
- Jurisprudence of European court of Human rights
- Legal writing and reasoning
- Case law of courts of all levels
- European best practices regarding the court' secretaries

Past trainings

In the last three years this target group attended following trainings:

- Training on the duty & taxes legislation
- On the legislation on rights of disabled people
- The ECHR case law on the rights of disabled persons
- On the administrative justice, the most innovative procedural changes
- Development of the legislation on the public procurement as related to the administrative courts' practice

VIII. Recommendations – target group legal assistants/advisors

Legal assistants/advisors play almost the same role as judges in a not very complex cases, they do legal analysis and they also process cases. Therefore, the same training topics should be provided to this target group too, though the priorities of topics might slightly differ as a result of the past training focus and target group gap analysis.

To level the knowledge of the current and new legal assistants/advisors, in the next period the initial and continuous training programme should offer similar training topics, more precisely modules from the initial training curricula should also be offered in the continuous training curricula.

The on-going vetting process addresses this target group too and that is why integrity, impartiality and competence are essential qualities that need to be further enhanced with the professional development programmes for legal assistants/advisors.

Therefore, the Consultant is of the opinion that the training topics that should be considered as priority for legal assistants/advisors in the next period should follow the order:

- Legal Writing and Research;
- Reasoning and Judgement Drafting;
- Judicial Ethics & Deontology & Discipline;
- Rights of Marginalized Groups;
- Novelty in Legislation;
- Human Rights and Social Issues;
- Office & Time Management.

It is also recommended that wherever possible they are trained together with judges, in joint thematic training events and they also should be part of the team building activities.

f. Target Group – Secretaries

Framework

Law no. 98 / 2016 on the Organisation of the Judicial Power in the Republic of Albania regulates the rights and obligation of the Chief Secretaries and Judicial Secretaries.

According to the Law, Chief Secretary is especially responsible for the work of the secretary office.

*“1. The coordination, organisation and distribution of work of the secretary office is within the competence of the chief secretary, under the guidance of the court chancellor.
2. The chief secretary exercises the following competences:
a) Issues certificates on the data from court registers requested by litigants;
b) Signs all procedural acts requiring procedural notifications, like:
Judicial decisions that become final;
Final and intermediary decisions delivered for execution;
Extracts and copies of the court acts unified with the original;
All other acts issued by the court, alongside the signature of the drafter;
c) Any other task assigned by law.
3. Further activities to be regularly carried out by chief secretaries shall be listed in the standard job description issued by the High Judicial Council.”*

Article 43 Law no. 98 / 2016 on the Organisation of the Judicial Power in the Republic of Albania

On the other side the Law also defines the responsibilities of the Judicial Secretaries which are more or less of procedural nature.

*1. The judicial secretary performs procedural duties, in accordance with the judicial procedural legislation in force.
2. The judicial secretary assumes in particular the following functions:
a) Certifies acts of the court and issues certificates or copies unified with the original procedural acts of the court. When a recording device or devices of similar function are used, the judicial secretary ensures the recording or reproduction be original and intact;
b) Is responsible for establishing the files and assisting the judge in keeping the files in an orderly manner, as well as for the registration and implementation of orders declared or issued by courts and judges;
c) Assists in the maintenance of registers and registrations into registers and assists in the maintenance and use of available technical devices, audio visual and computer devices, where available;
ç) Assists in issues related to the keeping of personnel files;
d) Cooperates with competent authorities on taxes and court fee matters;
dh) Helps create the court's statistics, according to the criteria established for this purpose and for the accuracy of data;
e) Performs any other task assigned by law.
3. Further activities to be regularly carried out by judicial secretaries shall be listed in the standard job description issued by the High Judicial Council.”*

Article 44 Law no. 98 / 2016 on the Organisation of the Judicial Power in the Republic of Albania

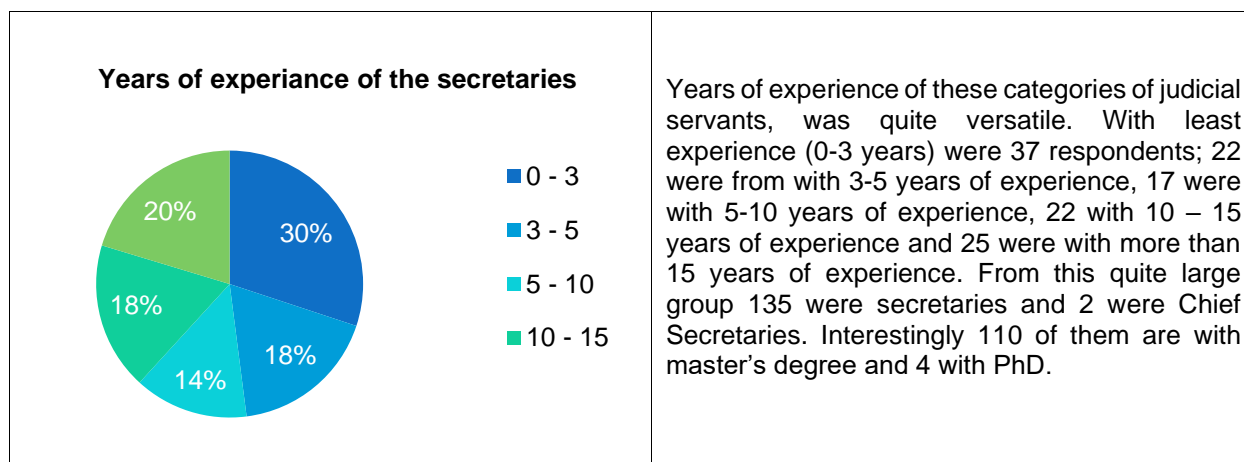
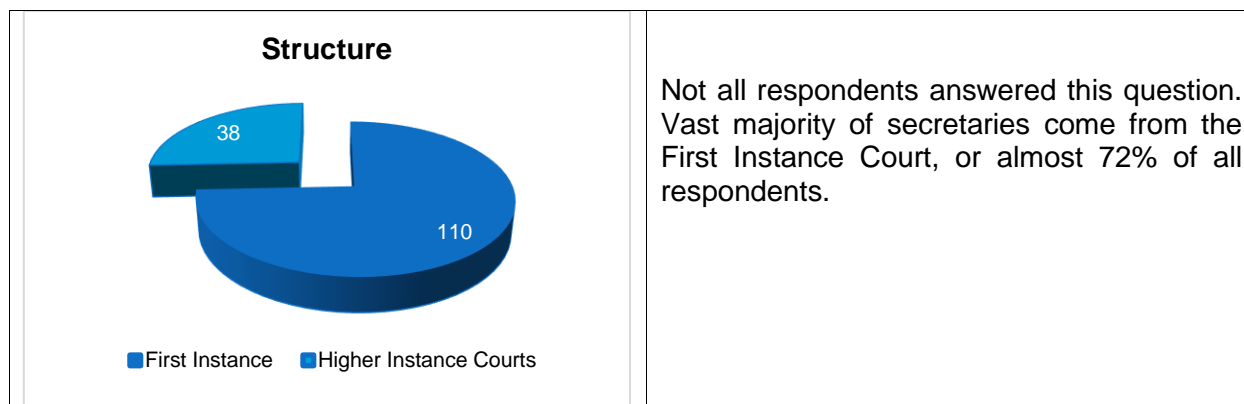
From the listed duties and responsibilities defined by the legislation both categories of secretaries have typical administrative officer tasks only the judicial secretaries are entrusted with filling and record keeping, provide statistics, maintain the registers and provide all necessary support to judges while Chief secretaries have more organizational role in the management of the office as well as more direct communication with litigants. Chief secretaries are also entrusted with tasks related to Issuing certificates on the data from court registers and signing all procedural acts requiring procedural notifications.

By the time of the drafting of this report the job descriptions of these two categories of judicial positions were not made available to the consultant, to be able to check if additional duties are entrusted to these two categories of judicial servants.

In terms of training these two categories of judicial servants are completely neglected. The School of Magistrates does not provide any trainings for this target group. They participate to some trainings on ad hoc bases organized by other state institutions.

Survey results

The secretaries responded in the biggest number in this survey. Out of total 415 secretaries, 153 sent their feedback or 38.2%. Their input was valuable also during focus group meetings.



General Skills

Secretaries find “Communication Skills” as the most important skills that they need to enhance in the future. “Time Management Skills” and “Office Management” are also very high on their list, as well as the “Public Relation”. The least important skills for the secretaries are “Language Skills”. The same trend is noticed here too with respect to the level of interest for the proposed training topic; the interest is very high, and all the scores are very close.



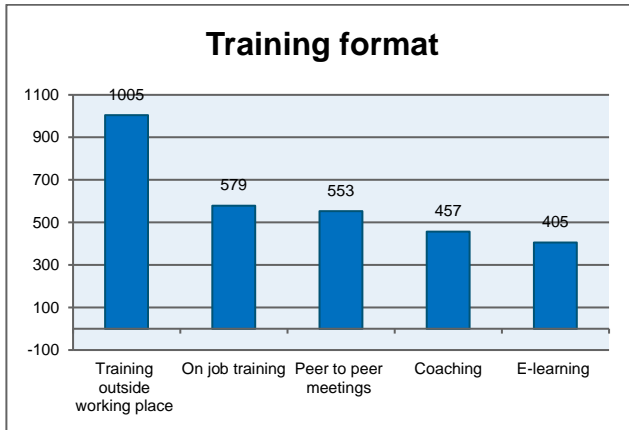
Special Skills

“Legal Ethics and Confidentiality” and “Familiarity with Legal Documents and Terminology” are the most important training topics for the secretaries. They also ranked very high “Records and File Management”, Organizational Skills”, “Case Management” and “Relevant Fields of Law”. They find least important “Videoconferencing” and “Calendar and Docketing”. The importance of all type of skills shows that the participants are very interested to be trained.

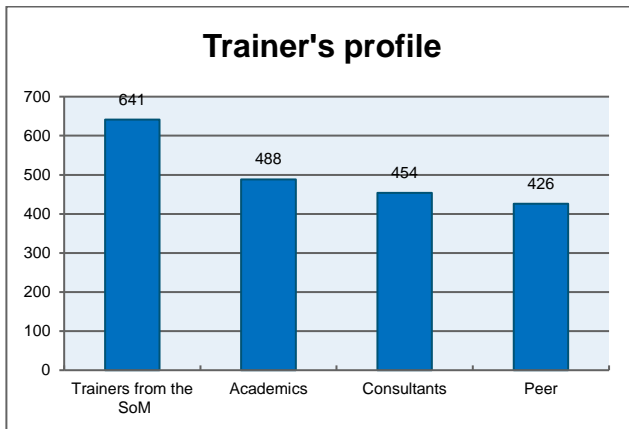


Training Methodology

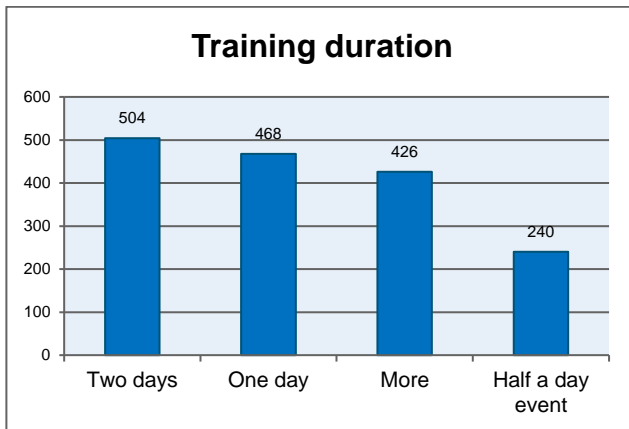
As all the other target groups secretaries favour training outside the office. Unlike the other target groups, they find on job training as the most preferred training format. Peer-to-peer meetings is their second favourite training format. E-learning is the least favourite form of training. They find trainers from the School of Magistrate as the most preferred trainers and peers as the least adequate when training secretaries. Their preferred duration of training is event while half a day training is the least beneficial training event when training secretaries.



Secretaries also prefer training events to be organized outside working place. They identified “on the job training” as the most important training format. While “E-learning is still considered as the least important training format but not that much disliked for the secretaries.



Opposite to the opinion of the assistants the secretaries favourite trainers are the trainers from the School of Magistrates whilst their peers are the least preferred trainers.



The same as other surveyed target groups, the secretaries favour two days or one day training event. They consider short – half a day training event as the least important when training secretaries.

Willingness for participation to trainings

Secretaries' opinions are divided regarding their willingness to participate to trainings organized during weekend. Half of them are willing to participate while the other half not. However, all of them are willing, to participate to joint trainings with other colleagues.

Individual training needs

As additional training topics secretaries identified trainings on:

- The practice of keeping audio recordings in court sessions;
- Applying and using a single court and audio management system;
- Effective electronic file management at ICMIS;
- Creating a database on court case statistics and extracting from ICMIS;
- Excel sessions;
- Trainings on the electronic system, professional ethics;
- Management (stress, excessive workload, case management)
- Ethics, rights and duties
- On the amendments of procedural law
- On the criminal and civil law
- Organization of court administration
- Relations with the public
- Efficacy on the work management
- Use of the office package
- Administration, maintenance and recording of documents, registers and court decisions
- Ethics communication, and confidentiality
- Archiving and management of information
- Language skills

Past trainings

In the last three years secretaries attended following trainings:

- Ethics and communication in court sessions and behaviour with the parties;
- Solemnity of the trial and taking measures for the preparation of court hearings;
- Training on the institutionalization of access to justice for persons with disabilities;
- The Progressive Role of Judicial Administration in the Challenges of Implementing Reform in Justice: Ethics and Communication in Judicial Sessions and Behaviour with the Parties".
- Administrative actions in procedural actions and the use of electronic management system;
- Archives techniques, deadlines for preservation of court files, deadlines and procedures for their disposal, computerization of court archives.
- Training on the court notification and service of documents to the parties
- Use of ICMIS and on the most recent amendments of criminal and civil procedural codes
- On the commercial rights
- On the insolvency

- On the Legal ethics and confidentiality

IX. Recommendations – target group secretaries

Secretaries both judicial and chief have been neglected in terms of training too. Maybe because of the unclear status or because of the lack of capacities within training institutions. By becoming judicial civil servants, this problem should be solved. Nevertheless, this is not a reason that this target group training needs are not addressed as of this moment.

The legislation gives the base for initial and continuous training, though further guidelines as stated in the Law are still not developed by the High Judicial Council.

In this transitional period, the same as the other judicial servants the initial and continuous training programme should not differ much. A refresher course could be organized for the current secretaries to level the knowledge of all secretaries and meet the needs of the post.

According to the professional background the current secretaries are overqualified for the post requirements (110 out of the 148 interviewed, are with master and 4 with PhD). Therefore, in practice they do legal research work as well as other work that is not in their job description. Together with the legal assistants and advisors they half the burden of judge's workload.

The Consultant is of the opinion that the training topics that should be considered as priority for the secretaries to improve their competence should follow the order:

- Communication Skills;
- Legal Ethics & Confidentiality;
- Organization Management (Office Management, Time Management, Case Management);
- Judicial Ethics & Office Conduct;
- Judicial Statistics;
- Familiarity with Legal Documents and Terminology;
- Relevant Fields of Law;
- Audio Management System.

It is of crucial importance that secretaries also participate to Team Building activities organized on a level of individual court/prosecution. Of course, as mentioned earlier, participants to the Team Building activities should be all employees of one court/prosecution or representatives of all the positions in one court or prosecution office.

X. GENERAL RECOMMENDATIONS

Besides the recommendations given under different target groups for the priority of the training focus for the next period, in this part of the report, recommendations of a more general nature are noted which are considered relevant/mutual for all target groups analysed in this assessment.

Clarifications:

Under “Novelty in Legislation” new legislative changes in criminal, civil and administrative area of law should be considered and as mentioned earlier national and international case law should be streamlined in each subject matter for more practical approach and to secure unification of court practice.

In this context under “Social Issues” skills for critical thinking, problem solving, decision making, coping with stress, coping with emotions, self-awareness, communication skills and interpersonal relationship skills are understood.

Training structure

The High Judicial Council is the crucial body in the design of the training programme for judges; the High Prosecutorial Council is the body responsible for the design of the training programme for prosecutors and Ministry of Justice and HJC/HPC are in charge of designing the training programme for all judicial civil servants. These institutions in cooperation with the School of Magistrates are responsible for the relevant initial and continuous training of different target groups. Therefore, they should be more involved in the design of the relevant training programme but also in monitoring and evaluation of the quality of annual training programmes.

In terms of training needs assessment process, the School should design and implement TNA with the relevant judicial structure: in case of judges in cooperation with the HJC, in case of prosecutors in cooperation with HPC and in case of judicial civil servants in cooperation with MoJ and HJC/HPC.

Based on the results of the TNA different training programmes should be prepared and offered to all target groups within School’s portfolio. The training programmes should be subject to approval of the HJC, HPC and MoJ, as appropriate.

Training methodology

The training methodology deployed by the trainers (full-time and part-time trainers) needs to be tackled urgently. Judges/prosecutors are best trained by judges/prosecutors, by their peers. However, not all judges/prosecutors have the skills and talent to transfer knowledge, skills, attitudes and behaviours necessary to meet a specific training goal. Therefore, efforts should be made that all trainers deploy adult training methodology to reach the best results of the training. Meaning that the SoM should make sure that only certified ToT trainers are involved in their trainings and their skills should be upgraded continuously. At the same time specialized (thematic)

ToT's should be organized, and at least 2 trainers for each theme are trained and available for the School's needs.

Training quality

Furthermore, the School of Magistrates should improve the quality of the training programmes first by introducing the whole training cycle management (TCM) process (analysis, design, delivery and evaluation).

The School of Magistrates should introduce the Training Needs Assessment (TNA) as a tool to identify training needs for all their target groups and based on this exercise develop annual training programme. Especially during justice reform process a comprehensive TNA should be conducted on annual bases.

The School also has to take the ownership of all training curricula. They need to be developed in cooperation with trainers but under strict guidelines and supervision of the School of Magistrates. The freedom to creatively meet the goal of the training in the implementation of training modules should be left to the trainers, however their work should be closely evaluated and monitored if it meets the training standards required by the School. The ownership rights of the curricula should be in the hands of the School.

Training format

Furthermore, e-learning training formats should be utilized more in the theoretical part of the initial training programme or in modules where the purpose of the training is knowledge transfer. In cases where the goal of the training module is transferring or enhancing skills in case of Albania traditional face-to-face training or in some case blended training might be the best option.

However, for some target groups (e.g. legal assistants/advisors) e-learning training format could be introduced even now. Piloting one already developed course by HELP CoE Programme could be the best test to check the volume of future e-learning courses.

Notes:

Though not a direct request of this assignment, the Consultant is of the opinion that few notes regarding the training in general during this transitional period are worth-while making.

The judiciary and therefore justice might suffer as a result of lack of resources as the vetting process progresses. To fill the gap that might be caused due to the vetting process a second way of entrance into judicial profession might be a solution. The judiciary will benefit from diversified professional background of their magistrates both in terms of quality and efficiency. The experienced legal professionals (advocates, legal professionals) do not need heavy theoretical

training, they could undergo shortened and tailored¹² programme aimed at strengthening judgescraft skills.

The second issue that has become evident during the assessment is the need to review initial training programme for magistrates. Three years initial training programme should be sufficient to arm future magistrates for their new positions only if the practical and theoretical part are adequately balanced. It might be more beneficial if the theoretical part is reduced to one year in relation to the practical experience which could be increased to two years of versatile legal practice (in court, prosecution office and law office).

And finally, to level the knowledge of the current and new professionals within judiciary, in this transitional period the initial and continuous training programme should offer similar training topics, inter alia modules from the initial training curricula should also be offered in the continuous training curricula.

¹² "The CCJE therefore recommends mandatory initial training by programmes appropriate to appointees' professional experience." Opinion no 4 Training of judges

XI. Annex 1 – Questionnaires 1-6

Questionnaire - 1

Target Group – Judges

Thank you for participating in the Training Needs Assessment Survey of the School of Magistrates.

The main goal of this survey is to identify training needs for different target groups within judiciary and prosecution in Albania. We would like to gain your opinions and thoughts to better serve you in the future. The survey is anonymous and can be fulfilled electronically or on paper. Please follow the guidelines given after part one. If you feel unclear about answering particular chapter/question please ask representatives from the School of Magistrates.

This questionnaire has 5 sections/parts. It should take you not more than 10 minutes to fill it out.

I. <u>Part One - statistics</u>					
1. Where do you work?	(First Instance - District Courts)	(Administrative court of First Instance)	(Appeal Courts)	(Supreme Court)	(Constitutional Court)
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. How long do you work on this position?	(0-3 y)	(3-5 y)	(5-10 y)	(10-15 y)	(< 15)
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(Please rank the importance of the following skills & knowledge statements in relation to your job description/work tasks, using the scale below: (5)____(4)____(3)____(2)____(1), where 1=not important and 5=very important)

II. <u>Part Two – General Skills</u>					
	(5)	(4)	(3)	(2)	(1)
1. Communication Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Public Relations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Interpersonal Relations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Time Management Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Language skills (English/French)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Stress Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Computer Operation, Including Application of Software	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Office Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

III. Part Three – Special Skills & Knowledge

	(5)	(4)	(3)	(2)	(1)
1. Novelty in the legislation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. ECtHR case law – recent developments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Supreme Court case law – recent developments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Constitutional Court case law – recent developments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. European practice in specific areas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Human Rights and socially important skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Reasonable time & Timeframe targets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Legal Research & Legal Drafting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Reasoning and Judgment Drafting Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Case Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Judicial Role & Ethics	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IV. Part Four – Training Methodology

	(5)	(4)	(3)	(2)	(1)
1. Please state what type of training format in your opinion is the most suitable to reach best learning results?					
a. Training outside working place	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Peer to peer meetings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. On job training	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Coaching	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. E-learning course	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Other – please specify					
2. Please state what profile of the trainer is in your opinion the most adequate to deliver required training?					
a. University teacher – Academic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Trainer from the School of Magistrates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Judge/Prosecutor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. External expert/consultant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Other – please specify					
3. What is the most effective duration of a training event? – please specify					
a. Half a day event	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

b. One day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Two days	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. More	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Other – please specify					
4. Will you be willing to participate on trainings during weekends?	YES <input type="checkbox"/> NO <input type="checkbox"/>				
5. Will you be willing to participate in joint trainings?	YES <input type="checkbox"/> NO <input type="checkbox"/>				

V. Part Five - Individual Training Needs

1. To perform your current job competently, what training in your opinion do you still need to take (eg, Excel, bookkeeping, or a specific law related training, etc)?

(Please explain in not more than 5 sentences):

2. What training have you attended within the last three years? (list all relevant training or skills)

(Please explain in not more than 5 sentences)

Questionnaire -2

Target Group – Prosecutors

Thank you for participating in the Training Needs Assessment Survey of the School of Magistrates.

The main goal of this survey is to identify training needs for different target groups within judiciary and prosecution in Albania. We would like to gain your opinions and thoughts to better serve you in the future. The survey is anonymous and can be fulfilled electronically or on paper. Please follow the guidelines given after part one. If you feel unclear about answering particular chapter/question please ask representatives from the School of Magistrates.

This questionnaire has 5 sections/parts. It should take you not more than 10 minutes to fill it out.

VI. <u>Part One - statistics</u>					
	(Prosecution Office)	(Higher Prosecution Office)	(General Prosecution Office)		
3. Where do you work?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	(0-3 y)	(3-5 y)	(5-10 y)	(10-15 y)	(< 15)
4. How long do you work on this position?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(Please rank the importance of the following skills & knowledge statements in relation to your job description/work tasks, using the scale below: (5)_____ (4)_____ (3)_____ (2)_____ (1), where 1=not important and 5=very important)

VII. <u>Part Two – General Skills</u>					
	(5)	(4)	(3)	(2)	(1)
9. Communication Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Public Relations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Interpersonal Relations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Time Management Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Language skills (English/French)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Stress Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Computer Operation, Including Application of Software	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Office Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VIII. <u>Part Three – Special Skills & Knowledge</u>					
	(5)	(4)	(3)	(2)	(1)
1. Novelty in the legislation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. ECtHR case law – recent developments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. Supreme Court case law – recent developments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Constitutional Court case law – recent developments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. European practice in specific areas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Human Rights and socially important skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Reasonable time & Timeframe targets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Case Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Legal Research	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Reasoning and Legal Drafting Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Collecting and analyzing facts & evidence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Prosecutorial Role & Ethics	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IX. <u>Part Four – Training Methodology</u>					
	(5)	(4)	(3)	(2)	(1)
6. Please state what type of training format in your opinion is the most suitable to reach best learning results?					
g. Training outside working place	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Peer to peer meetings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. On job training	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j. Coaching	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
k. E-learning course	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
l. Other – please specify					
7. Please state what profile of the trainer is in your opinion the most adequate to deliver required training?					
f. University teacher – Academic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Trainer from the School of Magistrates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Judge/Prosecutor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. External expert/consultant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j. Other – please specify					
8. What is the most effective duration of a training event? – please specify					
f. Half a day event	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. One day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Two days	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. More	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

j. Other – please specify	
9. Will you be willing to participate on trainings during weekends?	YES <input type="checkbox"/> NO <input type="checkbox"/>
10. Will you be willing to participate in joint trainings?	YES <input type="checkbox"/> NO <input type="checkbox"/>

X. Part Five - Individual Training Needs

3. To perform your current job competently, what training in your opinion do you still need to take (eg, Excel, bookkeeping, or a specific law related training, etc)?

(Please explain in not more than 5 sentences):

4. What training have you attended within the last three years? (list all relevant training or skills)

(Please explain in not more than 5 sentences)

Questionnaire -3

Target Group – Chairperson

Thank you for participating in the Training Needs Assessment Survey of the School of Magistrates.

The main goal of this survey is to identify training needs for different target groups within judiciary and prosecution in Albania. We would like to gain your opinions and thoughts to better serve you in the future. The survey is anonymous and can be fulfilled electronically or on paper. Please follow the guidelines given after part one. If you feel unclear about answering particular chapter/question please ask representatives from the School of Magistrates.

This questionnaire has 5 sections/parts. It should take you not more than 10 minutes to fill it out.

XI. <u>Part One –Statistical Data</u>					
17. Where do you work?	(First Instance Courts)	(Higher/Appeal Instance Courts)	(Prosecution Office)	(Higher Prosecution Office)	(Other)
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. How long do you have this position?	(0-3 y)	(3-5 y)	(5-10 y)	(10-15 y)	(< 15)
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(Please rank the importance of the following skills & knowledge statements in relation to your job description/work tasks, using the scale below: (5)____(4)____(3)____(2)____(1), where 1=not important and 5=very important)

XII. <u>Part Two – General Skills</u>					
	(5)	(4)	(3)	(2)	(1)
19. Leadership Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Communication Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Public Relations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. Team Building Techniques	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
23. Time Management Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24. Performance Evaluations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25. Language skills (English/French)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
26. Stress Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
27. Computer Operation, Including Application of Software	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
28. Office Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

XIII. <u>Part Three – Special Skills & Knowledge</u>					
	(5)	(4)	(3)	(2)	(1)
13. Novelty in the legislation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. ECtHR case law – recent developments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Supreme Court case law – recent developments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Constitutional Court case law – recent developments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. European practice in specific areas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Human Rights and socially important skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. Reasonable time & Timeframe targets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Case Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Legal Research	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. Reasoning and Judgment Drafting Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

23. Judicial Role & Ethics	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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XIV. <u>Part Four – Training Methodology</u>					
	(5)	(4)	(3)	(2)	(1)
11. Please state what type of training format in your opinion is the most suitable to reach best learning results?					
m. Training outside working place	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
n. Peer to peer meetings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
o. On job training	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
p. Coaching	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
q. E-learning course	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
r. Other – please specify					
12. Please state what profile of the trainer is in your opinion the most adequate to deliver required training?					
k. University teacher – Academic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
l. Trainer from the School of Magistrates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
m. Judge/Prosecutor/Chairperson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
n. External expert/consultant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
o. Other – please specify					
13. What is the most effective duration of a training event? – please specify					
k. Half a day event	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
l. One day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
m. Two days	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
n. More	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
o. Other – please specify					
14. Will you be willing to participate on trainings during weekends?	YES <input type="checkbox"/> NO <input type="checkbox"/>				

15. Will you be willing to participate in joint trainings?	YES <input type="checkbox"/> NO <input type="checkbox"/>

XV. Part Five - Individual Training Needs

5. To perform your current job competently, what training in your opinion do you still need to take (eg, Excel, bookkeeping, or a specific law related training, etc)?

(Please explain in not more than 2 sentences:

6. What training have you attended within the last three years? (list all relevant trainings)

(Please explain in not more than 2 sentences:)

Questionnaire - 4

Target Group – Chancellors

Thank you for participating in the Training Needs Assessment Survey of the School of Magistrates.

The main goal of this survey is to identify training needs for different target groups within judiciary and prosecution in Albania. We would like to gain your opinions and thoughts to better serve you in the future. The survey is anonymous and can be fulfilled electronically or on paper. Please follow the guidelines given after part one. If you feel unclear about answering particular chapter/question please ask representatives from the School of Magistrates.

This questionnaire has 5 sections/parts. It should take you not more than 10 minutes to fill it out.

XVI. <u>Part One - statistics</u>					
5. Where do you work?	(First Instance Courts)	(Higher Instance Courts)	(Prosecution Office)	(Higher Prosecution Office)	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
6. How long do you work on this position?	(0-3 y)	(3-5 y)	(5-10 y)	(10-15 y)	(< 15)
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. What is your educational background?	(Legal)			(Business)	
	<input type="checkbox"/>			<input type="checkbox"/>	

(Please rank the importance of the following skills & knowledge statements in relation to your job description/work tasks, using the scale below: (5)_____ (4)_____ (3)_____ (2)_____ (1), where 1=not important and 5=very important)

XVII. <u>Part Two – General Skills</u>					
	(5)	(4)	(3)	(2)	(1)
29. Leadership Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
30. Communication Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
31. Public Relations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
32. Interpersonal Relations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
33. Team Building Techniques	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
34. Time Management Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
35. Language Skills (English/French)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
36. Computer Operation, Including Application of Software	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
37. Office Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VIII. <u>Part Three – Special Skills & Knowledge</u>					
	(5)	(4)	(3)	(2)	(1)
8. Knowledge of laws governing court organization&procedure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Knowledge of laws governing procedures in criminal, civil and administrative cases (dependent on the area involved in)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Fair trial & Reasonable time	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Case Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Judicial Data Gathering&Analysis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Knowledge of Freedom of Information & Open Records Acts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Court Security and Safety	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

XIX. <u>Part Four – Management skills</u>					
	(5)	(4)	(3)	(2)	(1)
1. Human Resources Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Recruitment & Selection of Personnel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Career Development of Personnel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Implementing Disciplinary Policies & Procedures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Retirement Planning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Recognizing, Understanding, & Preventing Violence in the Workplace	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Sexual Harassment Sensitivity & Prevention	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Mental Health Awareness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Stress Management Strategies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Budget Preparation, Revision & Presentation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Strategic Planning & Organizational Development	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
38. Total Quality Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
39. Performance Management&Evaluations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
40. Report Writing Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Fostering & Reinforcing Ethics & Integrity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

XX. <u>Part Five – Training Methodology</u>					
	(5)	(4)	(3)	(2)	(1)
16. Please state what type of training format in your opinion is the most suitable to reach best learning results?					
s. Training outside working place	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
t. Peer to peer meetings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
u. On job training	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
v. Coaching	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
w. E-learning course	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
x. Other – please specify					

17. Please state what profile of the trainer is in your opinion the most adequate to deliver required training?					
p. University teacher – Academic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
q. Trainer from the School of Magistrates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
r. Judge/Prosecutor/Chancellor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
s. External expert/consultant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
t. Other – please specify					
18. What is the most effective duration of a training event? – please specify					
p. Half a day event	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
q. One day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
r. Two days	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
s. More	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
t. Other – please specify					
19. Will you be willing to participate on trainings during weekends?	YES <input type="checkbox"/>	NO <input type="checkbox"/>			
20. Will you be willing to participate in joint trainings?	YES <input type="checkbox"/>	NO <input type="checkbox"/>			

XXI. Part Six - Individual Training Needs

7. To perform your current job competently, what training in your opinion do you still need to take (eg, Excel, bookkeeping, or a specific law related training, etc)?

(Please explain in not more than 5 sentences):

8. What training have you attended within the last three years? (list all relevant training or skills)

(Please explain in not more than 5 sentences)

Questionnaire - 5

Target Group – Legal Advisors/Legal (Judicial) Assistants

Thank you for participating in the Training Needs Assessment Survey of the School of Magistrates.

The main goal of this survey is to identify training needs for different target groups within judiciary and prosecution in Albania. We would like to gain your opinions and thoughts to better serve you in the future. The survey is anonymous and can be fulfilled electronically or on paper. Please follow the guidelines given after part one. If you feel unclear about answering particular chapter/question please ask representatives from the School of Magistrates.

This questionnaire has 5 sections/parts. It should take you not more than 10 minutes to fill it out.

XII. <u>Part One - statistics</u>					
	(First Instance Courts)	(Higher Instance Courts)	(Prosecution Office)	(Higher Prosecution Office)	(Other Please write)
15. Where do you work?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	(0-3 y)	(3-5 y)	(5-10 y)	(10-15 y)	(< 15)
16. How long do you work on this position?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(Bachelor of Law)	(Master)		(PhD)	
17. What is your educational background?	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	

(Please rank the importance of the following skills & knowledge statements in relation to your job description/work tasks, using the scale below: (5)____(4)____(3)____(2)____(1), where 1=not important and 5=very important)

XIII. <u>Part Two – General Skills</u>					
	(5)	(4)	(3)	(2)	(1)
41. Communication Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
42. Interpersonal Relations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
43. Team Building Techniques	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
44. Time Management Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
45. Legal research & Reasoning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
46. Legal Drafting Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
47. Language skills (English/French)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
48. Stress Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
49. Computer Operation, Including Application of Software	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
50. Office Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

XIV. Part Three – Special Skills & Knowledge

	(5)	(4)	(3)	(2)	(1)
24. Novelty in the legislation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25. ECtHR case law – recent developments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
26. Supreme Court case law – recent developments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
27. Constitutional Court case law – recent developments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
28. European practice in specific areas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
29. Human Rights and socially important skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
30. Reasonable time & Timeframe targets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
31. Case Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
32. Case examination and analysis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
33. Report & review drafting skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
34. Judicial Ethics	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

XXV. Part Four – Training Methodology

	(5)	(4)	(3)	(2)	(1)
21. Please state what type of training format in your opinion is the most suitable to reach best learning results?					
y. Training outside working place	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
z. Peer to peer meetings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
aa. On job training	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
bb. Coaching	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
cc. E-learning course	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
dd. Other – please specify					
22. Please state what profile of the trainer is in your opinion the most adequate to deliver required training?					
u. University teacher – Academic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
v. Trainer from the School of Magistrates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
w. Peer (legal advisor)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
x. External expert/consultant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
y. Other – please specify					
23. What is the most effective duration of a training event? – please specify					

u. Half a day event	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
v. One day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
w. Two days	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
x. More	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
y. Other – please specify					
24. Will you be willing to participate on trainings during weekends?	YES <input type="checkbox"/> NO <input type="checkbox"/>				
25. Will you be willing to participate in joint trainings?	YES <input type="checkbox"/> NO <input type="checkbox"/>				

XXVI. Part Five - Individual Training Needs

9. To perform your current job competently, what training in your opinion do you still need to take (eg, Excel, bookkeeping, or a specific law related training, etc)?

(Please explain in not more than 5 sentences):

10. What training have you attended within the last three years? (list all relevant training or skills)

(Please explain in not more than 5 sentences)

Questionnaire - 6

Target Group – Secretaries (Chief and Judicial)

Thank you for participating in the Training Needs Assessment Survey of the School of Magistrates.

The main goal of this survey is to identify training needs for different target groups within judiciary and prosecution in Albania. We would like to gain your opinions and thoughts to better serve you in the future. The survey is anonymous and can be fulfilled electronically or on paper. Please follow the guidelines given after part one. If you feel unclear about answering particular chapter/question please ask representatives from the School of Magistrates.

This questionnaire has 5 sections/parts. It should take you not more than 10 minutes to fill it out.

XVII. <u>Part One - statistics</u>					
18. Where do you work?	(First Instance Courts)	(Higher Instance Courts)	(Prosecution Office)	(Higher Prosecution Office)	(Other Please write)
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. What is the title of your position?	Secretary	Chief Secretary	Assistant	Office Administrator	Other (please write)
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
20. How long do you work on this position?	(0-3 y)	(3-5 y)	(5-10 y)	(10-15 y)	(< 15)
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. What is your educational background?	(Legal)	(Business)	(Social)	(General)	(Other)
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(Please rank the importance of the following skills & knowledge statements in relation to your job description/work tasks, using the scale below: (5)_____ (4)_____ (3)_____ (2)_____ (1), where 1=not important and 5=very important)

XVIII. <u>Part Two – General Skills</u>					
	(5)	(4)	(3)	(2)	(1)
51. Communication Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
52. Legal Correspondence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
53. Public Relations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
54. Interpersonal Relations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
55. Time Management Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
56. Language skills (English/French)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
57. Stress Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
58. Computer Operation, Including Application of Software	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

59. Office Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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XIX. Part Three – Special Skills & Knowledge

	(5)	(4)	(3)	(2)	(1)
35. Legal Ethics & Confidentiality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
36. Relevant fields of law	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
37. Records and file management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
38. Case Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
39. General Research & Legal Research Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
40. Calendar & Docketing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
41. Videoconferencing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
42. Organizational skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
43. Familiarity with legal documents and terminology	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

XXX. Part Four – Training Methodology

	(5)	(4)	(3)	(2)	(1)
26. Please state what type of training format in your opinion is the most suitable to reach best learning results?					
ee. Training outside working place	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ff. Peer to peer meetings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
gg. On job training	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
hh. Coaching	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii. E-learning course	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
jj. Other – please specify					
27. Please state what profile of the trainer is in your opinion the most adequate to deliver required training?					
z. University teacher – Academic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
aa. Trainer from the School of Magistrates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
bb. Secretary (Peer)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
cc. External expert/consultant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
dd. Other – please specify					
28. What is the most effective duration of a training event? – please specify					

z. Half a day event	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
aa. One day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
bb. Two days	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
cc. More	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
dd. Other – please specify					
29. Will you be willing to participate on trainings during weekends?	YES <input type="checkbox"/> NO <input type="checkbox"/>				
30. Will you be willing to participate in joint trainings?	YES <input type="checkbox"/> NO <input type="checkbox"/>				

XXXI. Part Five - Individual Training Needs

11. To perform your current job competently, what training in your opinion do you still need to take (eg, Excel, bookkeeping, or a specific law related training, etc)?

(Please explain in not more than 5 sentences):

12. What training have you attended within the last three years? (list all relevant training or skills)

(Please explain in not more than 5 sentences)

XII. Annex 2 – Calendar 2017-2018 training topics

Below is the list of training topics offered in the “Calendar for continuous training for the 2017-2018”. They are given in no particular order. Some of the training topics were offered several times during the calendar year and to different target groups.

- The active management of judicial cases;
- Consumer rights; Copyright; Judgment in absence;
- Efficiency and the quality of the judiciary;
- Judicial Ethics;
- Independence and Impartiality;
- Cybercrime;
- Alternative custody with basis the family;
- The rights of the victims;
- Parity and Non-Discrimination,
- Code of Civil Procedure,
- Effective means to address the prolongation of judicial processes;
- Restitution and compensation of properties;
- Access to justice in the view of Aarhus Convention;
- Penal justice for juveniles;
- Judgment through Penal Order and through agreement as two new element of the CPP;
- Special judgments; Abbreviated judgments;
- Judicial writing and administration of courts;
- Corruption and ethics;
- Organized Crime; Trafficking;
- Freedom of expression, justice and media;
- Witnesses role;
- Alternatives to imprisonment;
- Eavesdropping/Wiretapping as evidence;
- Novelty in the legislation - function of the judge and of the prosecutor;
- Criminal offences into the area of the economical crime and corruption;
- Precautions of personal assurance;
- ECtHR jurisdiction;
- Prohibition of discrimination;
- Property rights;
- Criminal offences in the conditions of psychological shock;
- Measures of personal security;
- Labour Code; Determining punishment by the court;
- The relation prosecution-court in the preliminary investigations:
- Administrative Law;
- Execution of Sanctions;
- Novelties in Criminal Code;

- Novelties in Civil Code; Civil lawsuit in the penal process;
- The inter-institutional cooperation in the process of investigation and of the judgment of criminal offences;
- Organized criminal group, as a specific form of cooperation;
- Defamation; Evidencing;
- The role of court in marriages under age;
- Special techniques of the investigation;
- Civil and penal responsibilities of the trade associations;
- Jurisdictional relations with foreign authorities;
- Trans national crime and illicit traffics;
- Suspension and cessation of civil judgment; Communication;
- Matrimonial property regime; Surety Contract;
- Cases with foreign elements in the civil area;
- Ne bis in idem;
- Family violence in civil and criminal cases;
- Taxes;
- Discretionary acts of Public Administration;
- Relations judges – prosecutor-lawyer;
- Bankruptcy;
- The defendant and his defender and the innovations brought by the changes in the legislation;
- Emotional intelligence and the decision-taking process;
- The invalidity and illegitimacy of the Administrative acts;
- Contractual obligations;
- Science and law;
- European Union Court of Justice judgments;
- Right to private life and dignity;
- The innovations of the new legal framework for the public administration;
- The approximation of the Albanian legislation with the legislation of the EU in the area of insurance;
- Reasonable time of the judicial process;
- Preliminary judgements of the European Court of Human Rights;
- ECHR jurisprudence n cases against Albania;
- The role of the Ombudsman in the judicial process;
- Contractual obligations;
- The protection of private data and privacy in relation to the freedom of expression and technological developments;
- Ownership rights;
- Resiudicata;
- The role of the Court Presidents; Reasoning and judgment;
- Proactive investigations in the war against the organized crime and terrorism;
- Judgment in absence in the civil process;

- European law; and
- Constitutional judgments.

XIII. Annex 3 - Abbreviations

- EU – European Union
- CoE – Council of Europe
- CEPEJ – Council of Europe European Commission for the efficiency of justice
- MoJ – Ministry of Justice
- HJC – High Judicial Council
- HPC – High Prosecutorial Council
- SoM – School of Magistrates
- ToT – Training of Trainers
- TCM – Training Cycle Management
- TNA – Training Needs Assessment/Analysis