

SEPARATION OF POWERS PROJECT

BACKGROUND

The six-year USAID Separation of Powers Project (SPP) was launched in 2008 to help Serbia move closer to European Union accession by strengthening the judicial and legislative branches of government.

ACTIVITIES

- Increase judicial and legislative independence; and
- Improve court administration.

RESULTS

- Supported the newly created (2008) High Court Council (HCC) in strategic planning, communications, outreach, and preparation for the scheduled assumption of all budgetary responsibility for the judiciary in 2016. Developed Communications Strategy and website for HCC.
- Supported the establishment of the High Court Council Budget Office and the development of operational rules and procedures, enabling the judiciary to more independently manage operations and track the income and expenses of courts more closely.
- Developed and implemented software to allow data collection on resources and finances in all courts. Using these tools, HCC was able, through negotiations with the Ministry of Finance, to raise the amount allocated to the courts in 2014 from 300 million to approximately 1.3 billion dinars.
- The SPP partner courts – the Basic Courts from Subotica, Vršac, Niš and Vranje, and the High Courts from Belgrade and Novi Pazar – reduced their combined backlog by more than 50 percent.
- Captured lessons learned in partner courts in *Best Practices Guide for Backlog Reduction and Prevention*, providing practical guidance for improving case and court management.
- Developed National Backlog Reduction Strategy. Based on results in partner courts, the plan calls for a 20% annual reduction over four years.
- Established the first Court Manager position, now required by law, resulting in Serbia's first seven Court Managers being appointed and trained by SPP to reduce the enforcement backlog. As a direct result, Infostan, the largest utility company, entered into payment agreements with 80,000 debtors with multiple enforcement actions against them, resulting in the removal of 600,000 cases from the system.
- Developed an operational model with the Supreme Court and collected data from appellate courts on disputed legal issues. Developed a searchable database to provide judges access to Court Practice via Supreme Court website currently in development by SPP (scheduled for launch in September 2014).
- Worked with High Court Council members and judges to develop a Weighted Caseload Methodology.
- Worked with the Supreme Court of Cassation to develop rules and procedures for electronic filing and implemented pilot initiatives in three courts, allowing lawyers and courts to file documents efficiently and securely.

- Assisted Assembly Members and staff establish budget and long-term planning systems, including the adoption of a Five-Year Strategic Plan.
- Created website that tracks daily activity in Parliament and provides comprehensive access to pending acts and recently passed laws.

Project funded by:

U.S. Agency for International Development; USAID/Serbia

Project implemented by:

East-West Management Institute

Key counterparts:

Ministry of Justice and State Administration; High Court Council; Judicial Academy; and National Assembly of the Republic of Serbia.

Where we work:

Belgrade; Čačak; Niš; Novi Pazar; Sremska Mitrovica; Subotica; Užice; Vranje; and Vršac.

Project duration:

August 2008 to December 2014

Contact:

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