

PILOT PROJECT ON MONITORING JUDICIAL INTEGRITY

GOAL: The project "**Civil Society Inclusion for a Functional and Equitable Justice System for All in Albania**", funded by the European Union and implemented by Save the Children and the Integrated Legal Services and Practices Center, has planned to develop several activities related to the justice system. The **Institute of Public and Legal Studies**, as part of the expertise, has taken on the development of a strategic-administrative document "Monitoring Judicial Integrity" (hereinafter "MJl"), and its piloting as an experimental stage. This document addresses the factors impacting Judicial Integrity (a total of 35 factors recognized by constitutional and legal standards and international norms and practices), required performance and achievement and measurement indicators (a total of 105 indicators)

PURPOSE: In order for the MJl to be an "acting and living" document and, consequently, acceptable for use, its functionality must be put to the test. The deadline, the phase in which the judiciary is currently present, (the newly established High Judicial Council, with two months of activity¹, the High Inspectorate of Justice still not established², the Supreme Court with only three justices in office), allows for only limited testing of a few factors, which are directly related to currently measurable and concrete achievement indicators. Not every measurement indicator can be applied, either because of inability or due to the fact that a full measurement would take its time and an integrated approach to measurement methods through several factors. The piloting of 4 (four) factors from the MJl document was made possible based on selection and under close consultancy with the HJC. Achievement and measurement indicators were also discussed with representatives of this institution. Regarding the rating of the level of achievement, no measurement units were defined, such as "very good, good, sufficient, not at all", or "fully achieved, in part, not at all", since this level of assessment should be based on another methodology, separately for each factor³.

SELECTED FACTORS:

Factor 1.1 *Institutional independence of the judiciary*

Factor 2.2 *Deontological principles guiding the judicial conduct of judges*

Factor 6.3 *Managerial culture of Court administration and Performance standards of non-judicial personnel (Note: piloted only partially, the part about the administrative management of the court)*

Factor 7.1 *Budget and procedures for its allocation*

¹ The first meeting which officially established the HJC was held on 20 December 2018.

² Calls for applications to the HJI were repeated and opened in March 2019.

³ E.g. for efficiency it could be: **Extremely efficient / Very efficient / Almost efficient / Almost inefficient / Very inefficient / Extremely inefficient**. For competence and professionalism: **Extremely professional / Very professional / Almost professional / Almost un-professional / Very un-professional / Extremely un-professional**

Factor 1.1 Institutional independence of the judiciary

Performance Indicators

The independence of the judiciary must be seen as *essential independence* (competence of the courts to make decisions impartially and without being influenced by the interests of any other branch of power), and as *structural independence*. Both the *organizational and financial independence*⁴ are considered as part of structural independence

The Constitution has provided for the self-governance of the judiciary through the High Judicial Council, which ensures the independence, accountability and well-functioning of the judiciary in the Republic of Albania⁵.

The judicial power is exercised by the Supreme Court as well as by the courts of appeal and the courts of first instance, which are created by law⁶. Judges of the Supreme Court are appointed by the President of the Republic, upon proposal of the High Judicial Council, for a nine-year term without the right of reappointment⁷. Judges shall be those Albanian nationals who are appointed by the High Judicial Council upon completion of the School of Magistrates and after carrying out the preliminary verification process of their assets and their integrity, in accordance with the law⁸.

The **High Judicial Council** proposes the total number of judges in the Republic of Albania as well as presents the proposal for the budget of the judicial system, according to the procedure set forth by law⁹.

The **High Judicial Council** takes care of the organization and functioning of the services related to judicial administration by exercising the following authority: a) drafts and monitors the implementation of policies for judicial administration; b) monitors and manages the caseload of judges and courts, duration of cases and other aspects of judicial administration, based on data collected through a case management system, in order to improve court

⁴ Decision no. 25, of 05.12.2008 of the Constitutional Court

⁵ Article 147/1 of the Constitution

⁶ Article 135/1 of the Constitution

⁷ Article 136/1

⁸ Ibid, Article 136/a

⁹ Article 21/1 of Law no. 98/2016.

	productivity or reduce the burden of judges and judicial civil servants; c) approves the standard, internal rules of the court ¹⁰ .
<i>Indicators of Achievement</i>	<p>Objective independence is related to the structural functioning of the judiciary and has these sub-indicators: - formal guarantees of independence, as provided for in the Constitution and the law; - formal guarantees that judges only obey the law; - formal methods for determining the salaries of judges, - formal mechanisms for adjusting the salaries of judges, - formal guarantees for the inclusion of judges in the development of legal and judicial reforms.</p> <p>Organizational and financial autonomy has the following sub-indicators: - the formal position of the High Judicial Council; - compliance with the guidelines of the European Network of Judicial Councils; - the responsibilities and powers of the High Judicial Council; - the influence of judges on Council decisions; - Judicial budget, its amendments, and resolution of conflicts regarding the budget¹¹.</p>
<i>Measurement Indicators</i>	<p>The measurement method regarding the level of achieving objective and subjective independence, should focus on:</p> <ul style="list-style-type: none"> - Analysis of the legal framework on organizational and financial independence in relation to the actual organizational and financial situation, resulting in the implementation of the legal framework of judicial financing by the Assembly. - Comparison between approved and requested yearly budgets. Statistics and analysis of claims submitted to the Constitutional Court by legitimate subjects and the acceptance or rejection of these claims, allegations related to the separation and balancing of powers, the independence of the courts, the impartiality of the judiciary. - Public opinion polls on the perception they have on the independence of the judiciary, according to CEPEJ standards. - The perception of independence in the national system according to public opinion, based on the Global Index on Rule of Law, 2016. - International authorities' reports on independence and corruption, (political, financial) as a dependence element.
<i>Factual achievement</i>	The Constitution stipulates that judges are independent and are only subject to the law ¹² . Articles 135-147/ë provide for constitutional guarantees of appointment, tenure and removal of judges as well as the independent constitutional institutions which manage and govern the judiciary and propose disciplinary measures against judges.

¹⁰ Article 89 of Law no. 115/2016

¹¹ ENCJ Report “Independence, accountability and quality of the Judiciary, Performance Indicators”, 2017, p.15

¹² Article 145.

HJC is a constitutional institution. Mandates, competencies, selection of members are defined in the Constitution. The Assembly has chosen lay members from outside the judiciary through a transparent and meritocratic procedure. Likewise, the Judges' Meeting has elected members from the judiciary themselves.

The HJC decides on the appointment, dismissal and promotion of judges as a part and a guarantee of essential independence. The HRC consists of 6 members of the judiciary and 5 from outside the judiciary, meeting the standard of self-government by the judiciary itself. Also, the provisions on the self-government of the judiciary have been tested during constitutional control and some of them have been abolished¹³. This is an indication of the functional independence of the judiciary, which through membership associations can appeal or has appealed those provisions which are in conflict with constitutional principles and those of international conventions.

The Assembly approved in February 2019 the number of HJC employees as well as the budget, related to structural and financial independence. (*for more information see Factor 7.1.*) In addition, with Decision No. 12, of 18.01.2019, the HJC has approved the organizational structure of the HJC administration.

Level of Achievement

Level of achievement	rating
Excellent - Exceptional Achievement	A
	A-
Good - Extensive Achievement	B+
	B

¹³ Decisions of the CC no.34/2017; 41/2017 and no.78/2017. Through Decision no.41/2017, the CC abolished as in conflict with the Constitution Article 5, Article 61, Article 103, Article 159 and Article 169, item 5 of Law no. 115/2016 "On governance bodies of the justice system". Through Decision no.78/2017, the Court abolished in part only Article 76/2 of Law no. 115/2016 " On governance bodies of the justice system ". Through Decision no. 34/2017, decided: To abolish as in conflict with the RoA Constitution Article 8; Article 9, item 1, letter "c", last sentence as well as items 7 and 8; Article 23, item 10; Article 26, item 4, letter "b"; Article 44, item 1, letter "c"; Article 64, item 5; Article 78, item 3, the wording "if the court president did not give the judge the final assessment "insufficient"" and item 5, letter "b", last sentence; Article 95, item 7, wording "of a level which is lower than "good""; Article 101; Article 102; Article 103; Article 104; Article 112, item 1; Article 141, item 1, wording "to an extent that does not affect" and letters "a", "b" and "c" of this item; Article 152; Article 161, item 2, wording "implementing Part III, Chapter VIII of this Law" and item 3; Article 162, item 1, wording "Implementing Part III, Chapter VIII of this Law" and item 6, wording "implementing Part III, Chapter VIII of this Law"; Article 164, item 1, letter "a" and item 2; Article 167, item 3, letter "b", wording "Implementing Part III, Chapter VIII of this Law"; Article 168, item 2, wording "Implementing Part III, Chapter VIII of this Law"; Article 169, item 5, last sentence and item 6 of this Article.

		B-
	Satisfactory - Acceptable Achievement	C+ C
	Poor - Minimal Achievement	*D
	Failure - Inadequate Achievement (To secure credit, course must be repeated.)	F
Factor 2.2 Deontological principles guiding the judicial conduct of judges		
Performance Indicators	The judge's ethics goes beyond legal rules. However, there is a unanimity on the core of the basic principles of the profession of a judge, regardless of differences, based on which he/she should act: independence, impartiality, integrity, appropriateness, equality, competence and due diligence ¹⁴ . Despite the fact that there are no codified and universal moral and ethical norms for judges, there is an ongoing global process which: - affirms international law, especially on human rights, - a harmonization of judicial practice, especially on organized crime and corruption; - efforts to unify the juridical education of judges on the implementation of international and national law. As the role of judge in society increases, the need for codification of the deontology of this profession is also increasing.	
Indicators of Achievement	The indicators of the implementation of the deontological principles are: - the existence of the Code of Judicial Ethics; - the possibility of training on judicial ethics; - existence of a body responsible for giving advice on dilemmic issues related to judicial ethics and dealing with cases with this subject ¹⁵ ; - monitoring of court conduct in practice; - reporting on the judicial conduct of judges ¹⁶ .	
Measurement Indicators	Comparison of ethical norms of the Code of Judicial Ethics with the internationally required standards, especially Bangalore's principles "On Judicial Conduct", 2012. Complaints and requests reviewed for violations of judicial ethics, according to the legislation in force.	
Factual achievement	- There is currently a code of ethics for judges. The Code of Ethics adopted by the National Judicial Conference, of 8 December 2006,	

¹⁴ Judge's Profession, Lisbon Network, Council of Europe.

https://www.coe.int/t/dghl/cooperation/lisbonnetwork/themis/Ethics/Paper2_en.asp

¹⁵ Article 4 of Law no. 96/2016 stipulates that: "3. The Councils shall publish Standards of Ethics and Rules of Conduct. 4. Each Council must appoint the magistrate as Ethics Advisor under the provisions of Law "On governance bodies of the justice system".

¹⁶ The Bangalore Principles of judicial conduct, confirmed through the ECOSOC Resolution 2006/23, establish ethical standards of judicial conduct and elaborate the principles of independence, impartiality, dignity, equality, competence and orderliness of judges

reflects the best internationally-accepted norms of ethics and the values of the judiciary¹⁷.

- The possibility of reviewing and amending in light of Law No. 96/2016 and Law No. 98/2016 is recommended.
- One of the Standing Commissions of HJC is the Commission for Evaluation of Ethics and Professional Activity, established per Decision No. 13, of 18.01.2019¹⁸.
- The HJC has approved as part of its structure the Ethics Adviser Office, according to the legal criteria required, and is expected to publish a vacancy announcement for this position¹⁹.

Failure to establish the HIJ and make it operational makes it currently impossible to have statistics and investigate complaints against judges for breach of ethical norms²⁰.

Level of Achievement

Level of achievement	rating
Excellent - Exceptional Achievement	A
	A-
Good - Extensive Achievement	B+
	B
	B-
Satisfactory - Acceptable Achievement	C+
	C
Poor - Minimal Achievement	*D
Failure - Inadequate Achievement (To secure credit, course must be repeated.)	F

Factor 6.3 Managerial culture of Court administration and Performance standards of non-judicial personnel

Performance Indicators

The President of the Court represents the court and judges, ensures the effective functioning of the court, and consequently the increase of services to society, as well as exercises judicial activities as a judge.

The administrative bodies and administrative management of the court have several levels:

1. the President of the Court and the Vice-President;
2. The Council of the Court established and functioning in each

¹⁷ http://www.gjykataelarte.gov.al/web/kodi_i_etikes_gjyqesore_1754.pdf

¹⁸ <http://www.kld.al/vendime/vendim-nr-13-dat%C3%AB-18-01-2019>

¹⁹

²⁰ This type of procedure is being carried out by the IQC in compliance with the Law on Transitional Re-evaluation, where public complaints are also filed.

	<p>court; 3. Chancellor of the Court; 4. General Assembly of the Court.</p> <p>The President of the Supreme Court is elected by the general assembly of the court for a period of three years without the right of re-election²¹. The mandate of the President of the Court is three years, with the right of reelection only once²². The assessment of the activity of the president of a court is carried out based on these criteria: a) managerial and organizational skills; b) communication skills²³.</p> <p>The court president is elected by the HJC and has the responsibility for the overall judicial management and exercises the following duties regarding the standards of interaction, cooperation and coordination with non-judicial staff:</p> <ul style="list-style-type: none"> • take care of the organization and functioning of judicial administration in court regarding non-judicial activities through the Chancellor; • summon, prepare and chair the general assembly s of judges and the Court Council; • provide guidance and supervision to the Chancellor; • verify complaints, investigate disciplinary violations and propose the initiation of disciplinary proceedings on the Chancellor; • carry out actions and make decisions related to the status of civil servants in the judiciary; • Ensure the implementation of decisions of the High Judicial Council, in particular with regard to measures aimed at increasing the efficiency and quality of judicial services; • Ensure access to and method of using the case management system in accordance with the overall national policy in the field of information technology and security and the rules adopted by the High Judicial Council.²⁴ <p>The vice president of the court exercises the president's powers in his/her absence. He/she is elected by the general assembly of judges for a three-year term without the right of reelection.²⁵</p>
--	--

²¹ Article 51 of Law no. 96/2016.

²² Ibid, Article 52.

²³ Article 79 of Law no. 96/2016.

²⁴ Article 37 of Law no. 98/2016

²⁵ Ibid, Article 26/2

The Court Council consists of three members: a) the court president, who acts as chairman of the Court Council; b) the vice president of the court; c) the court chancellor. The council has the following authority: a) Approve job descriptions for all categories of civil servants and court employees, according to the model approved by the High Judicial Council, and in special cases adapts them to the court needs and job criteria; b) make decisions regarding the status of civil servants as provided for in this Law; c) approve the structure and organization of the court administration, according to the model approved by the High Judicial Council, and in special cases it adapts it to the needs of the court and the abilities of the persons in office; ç) approve the structure of the court and assign judges to sections and trial panels after receiving the opinion of the general assembly of judges, following the general rules adopted by the High Judicial Council; d) review complaints relating to court infrastructure matters, ancillary services in court, and other matters not related to the exercise of judicial administration duties and report to the High Judicial Council on complaints and measures taken in accordance with the rules adopted by the High Judicial Council; f) evaluate and examine the draft budget prepared by the finance officer 15 days before submission to the High Judicial Council; e) Provide information, opinions or reports requested by state institutions in compliance with the law; h) cooperate with the School of Magistrates and the High Judicial Council on issues related to the initial and continuous training of judges and civil servants; f) Organize regular meetings with court users to increase the efficiency and quality of justice; g) approve special rules of the court on matters of court safety and security²⁶.

The Chancellor is appointed by the HJC²⁷ and is the body responsible for managing the judicial administration, with a series of important authorities²⁸.

Judicial administration accomplishes its mission through the following services: a) judicial services which directly support judicial activities, including documentation and activities carried out by **legal advisors and assistants, the chief secretary and judicial secretaries**; b) administrative services, including finance

²⁶ Article 27 and 39

²⁷ Ibid Article 59: The High Judicial Council is the competent authority at appointing the chancellor, legal advisor and legal assistant.

²⁸ Ibid, authorities Article 39: The chancellor is responsible for: 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 authorized by the Court President.

	<p>and budgeting, foreign relations and public relations, information technology, judicial archives, security and human resources; c) support services which in particular ensure the provision of notification services; assisting the trial panel and chair of the hearing, as well as any other activity related to the proper order and conduct during the court session, the transportation services, the maintenance of court premises²⁹.</p> <p>The activity of the civil judicial service is based on the principles of equal opportunities, non-discrimination, transparency, professionalism, integrity, accountability and is oriented towards efficient services which are accessible to all³⁰.</p>
<p><i>Indicators of Achievement</i></p>	<p>Courts' processes and operations³¹ must allow judicial procedures to go ahead, while respecting legal deadlines. The case distribution and management/delegating responsibilities should allow for standards of performance, efficiency and effectiveness.</p> <p>Indicators of achievement: Existence and Election of Vice Presidents in Courts; the existence and creation of Courts Councils; - Implementation of the General Court Assemblies, in accordance with legal provisions; - the existence of chancellors and non-judicial staff in accordance with legal provisions related to their number and authority.</p>
<p><i>Measurement Indicators</i></p>	<p>Management culture standards can be measured by analyzing the assigned legal/administrative tasks for each administrative body in quality and management role: The President of the Court, the Vice President, the Council of the Court, the General Assembly of the Court.</p> <p>Performance standards of non-judicial personnel can be made measurable through some indicators, such as questionnaires and self-assessment surveys within the court's non-judicial staff. It is related to organizational behavior and internal structural elements and SATURN standards can be used as guidance for measuring the level of internal management³².</p> <p>The management culture of the court president is measured through legal indicators and the evaluation of managerial work as a court president in accordance with CEPEJ standards.</p>

²⁹ *ibid*, Article 41

³⁰ Article 8 of Law no. 98/2016

³¹ Checklist for promoting the quality of Justice and the Courts/CEPEJ (2008)2

³² CEPEJ-SATURN(2015)2

<p><i>Factual achievement</i></p>	<ul style="list-style-type: none"> - The HRC has started the process of appointing the Presidents of the Courts, in cases when this position has been vacant, according to the procedure set forth in Article 52 of Law No. 96/2016³³. - The organization and management of the selection for the positions of Court Vice Presidents, Court Councils composed of 3 judges in each court, which are new bodies established in accordance with Law no. 115/2016. So far, the vice presidents of almost all courts have been elected, and the Court Councils are in the process of completing the process of creation³⁴. - By Decision No. 17, of 29.01.2019, the HJC has approved the nominal list of candidates for legal advisers and assistants who meet the criteria for attending the admission test for the initial training program at the School of Magistrates for the 2019-2020 academic year³⁵. - The HJC is in the process of drafting three regulations regarding the rules and procedures of running for the Supreme Court, from the category of magistrates and non-magistrates. Then the vacancy announcement process is expected for the members of the Supreme Court³⁶, which in the General Meeting also elects its President³⁷. 																
<p><i>Level of Achievement</i></p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Level of Achievement</th> <th style="text-align: center;">rating</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Excellent - Exceptional Achievement</td> <td style="text-align: center;">A</td> </tr> <tr> <td style="text-align: center;">A-</td> </tr> <tr> <td rowspan="3">Good - Extensive Achievement</td> <td style="text-align: center;">B+</td> </tr> <tr> <td style="text-align: center;">B</td> </tr> <tr> <td style="text-align: center;">B-</td> </tr> <tr> <td rowspan="2">Satisfactory - Acceptable Achievement</td> <td style="text-align: center;">C+</td> </tr> <tr> <td style="text-align: center;">C</td> </tr> <tr> <td>Poor - Minimal Achievement</td> <td style="text-align: center;">*D</td> </tr> <tr> <td>Failure - Inadequate Achievement (To secure credit, course must be repeated.)</td> <td style="text-align: center;">F</td> </tr> </tbody> </table>	Level of Achievement	rating	Excellent - Exceptional Achievement	A	A-	Good - Extensive Achievement	B+	B	B-	Satisfactory - Acceptable Achievement	C+	C	Poor - Minimal Achievement	*D	Failure - Inadequate Achievement (To secure credit, course must be repeated.)	F
Level of Achievement	rating																
Excellent - Exceptional Achievement	A																
	A-																
Good - Extensive Achievement	B+																
	B																
	B-																
Satisfactory - Acceptable Achievement	C+																
	C																
Poor - Minimal Achievement	*D																
Failure - Inadequate Achievement (To secure credit, course must be repeated.)	F																
<p>Factor 7.1 Budget and procedures for its allocation</p>																	
<p><i>Performance Indicators</i></p>	<p>The High Judicial Council and the judicial system are funded by the State Budget and other legitimate sources. The annual budget of the High Judicial Council and the judicial system is part of the State Budget and it follows all the procedures for its drafting and</p>																

³³ <http://www.kld.al/vende-vakant>

³⁴ According to information gathered during meeting with HJC representatives on 20.03.2019.

³⁵ <http://www.kld.al/vendime/content/85-v2019/>

³⁶ Article 136 of the Constitution

³⁷ According to information gathered during meeting with HJC representatives on 20.03.2019.

	<p>implementation, provided by relevant legislation.</p> <p>The High Judicial Council is responsible for drafting its annual and mid-term budget in consultation with the Ministry of Justice and the Ministry of Finance.</p> <p>The High Judicial Council participates in the Assembly meeting where the draft budget of the judicial system is discussed. The High Judicial Council is responsible for overseeing expenditures, allocating funds and maintaining accurate accounts, as provided by the legislation in force for the budget system in the Republic of Albania.</p> <p>The Judicial Budget Administration Unit of the HJC has the following main competences: a) Examine and determine budget needs of all components of the judiciary in cooperation with financial sectors of courts at all instances; b) Process financial indicators relating to courts' requirements and activities; c) oversee the use of funds given to courts in accordance with their destinations.</p> <p>The Internal Audit Department of the HJC conducts the audit of the judicial budget. The HJC has planned 5 employees in its structure. This directorate exercises the powers of auditing and monitoring of the use of funds allocated to all country's courts, ranging from the Supreme Court, to the Appeal and First Instance Courts.³⁸</p>
<p><i>Indicators of Achievement</i></p>	<p>Achievement should be oriented by answers to these questions:</p> <ul style="list-style-type: none"> - What are the principles of court funding? - How is the budget distributed to the courts? How are the needs identified? - Is there training for the Court President on how to manage the budget? - How is the budget of the Court initially planned, based on which criteria, procedures, and what are the involved links (Ministry of Justice, Ministry of Finance, bodies of the judiciary)? - Are the views of judges taken into account in budget drafting? - Who has the legal competence to manage the budget? - After budget allocation for each court, how does financial control occur? - How does accountability and control of transparency occur in relation to the legitimate and efficient use of court budgets?

³⁸ <http://www.parlament.al/Files/Projekte/20190130150047KLGJ.pdf>

<i>Measurement Indicators</i>	The same methodologies are used, in accordance with international and national public budget management standards.																
<i>Factual achievement</i>	<ul style="list-style-type: none"> - A Judicial Budget Administration Unit (former JBAO) was established. - The structure of the Internal Audit Directorate has been approved with 5 employees; it has auditing powers over the budget of the judiciary. - HJC has requested 145 employees and the Assembly has approved 125 for the administration of the HJC. - The budget requested for 2019 by the HJC is ALL 3,211 million, while the allocated budget is 2,380 million ALL. - Legal standards³⁹ require 300 employees for the administration of the courts, 300 employees were required according to legal standards; in fact, a request was made for 83 employees, but the Assembly approved 20. - The distribution of budget funds for the judiciary is based on: the number of employees per each unit, the number of cases (<i>cost per case</i>), the actual achievement of the unit in the preceding year, the standards for the main items of operating expenses, and for investments, renovation of electronic devices in courts, in accordance with databases prepared by USAID and JBAO⁴⁰. 																
<i>Level of Achievement</i>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Level of achievement</th> <th style="text-align: center;">Rating</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Excellent - Exceptional Achievement</td> <td style="text-align: center;">A</td> </tr> <tr> <td style="text-align: center;">A-</td> </tr> <tr> <td rowspan="3">Good - Extensive Achievement</td> <td style="text-align: center;">B+</td> </tr> <tr> <td style="text-align: center;">B</td> </tr> <tr> <td style="text-align: center;">B-</td> </tr> <tr> <td rowspan="2">Satisfactory - Acceptable Achievement</td> <td style="text-align: center;">C+</td> </tr> <tr> <td style="text-align: center;">C</td> </tr> <tr> <td>Poor - Minimal Achievement</td> <td style="text-align: center;">*D</td> </tr> <tr> <td>Failure - Inadequate Achievement (To secure credit, course must be repeated.)</td> <td style="text-align: center;">F</td> </tr> </tbody> </table>	Level of achievement	Rating	Excellent - Exceptional Achievement	A	A-	Good - Extensive Achievement	B+	B	B-	Satisfactory - Acceptable Achievement	C+	C	Poor - Minimal Achievement	*D	Failure - Inadequate Achievement (To secure credit, course must be repeated.)	F
Level of achievement	Rating																
Excellent - Exceptional Achievement	A																
	A-																
Good - Extensive Achievement	B+																
	B																
	B-																
Satisfactory - Acceptable Achievement	C+																
	C																
Poor - Minimal Achievement	*D																
Failure - Inadequate Achievement (To secure credit, course must be repeated.)	F																

³⁹ In fact, the HJC has also relied on CEPEJ standards, whereby a judge needs 3.5-3.9 employees, while currently the indicator in the Albanian system is 2.3 administration employees per judge, and with the additional number required by the HJC (83 employees) the ratio would increase to 2.5 employees per judge

⁴⁰ According to information and documentation obtained during meeting with HJC representatives on 20.03.2019.

CONCLUSION: Piloting factors show, to a very moderate extent, the fulfillment of the standards required for a judiciary with integrity. However, the Indicators of Achievement should be taken with reservation, since not all the recommended measurement methods were applied, either because of the objective impossibility, the structural and normative nature of the regulatory framework, but also the time available to IPLS experts. Since the period of implementation of the legal obligations and requirements for judicial system reform will take time, it is difficult to assess the achievement of certain standards in a definitive way (e.g. *institutional independence*), while some others, due to the character of the factor itself are such that they are monitored on a continuous basis, depending on the determined monitoring stage (e.g. court efficiency, 3-month, 6-month, annual, or judge efficiency, etc.)

Two aspects of factor piloting should be considered:

1- aspect of providing in the Constitution and the law for the institutions, guarantees and constitutional values of independence and judicial integrity, as well as indicators for the measurement of these values⁴¹;

2- aspect of the implementation of constitutional and legal provisions. The first aspect of the provision in the law is already fulfilled for the most part by the drafted laws no. 96/2016, no. 98/2016 and no. 115/2016. The implementation aspect is the main challenge to be monitored, according to the measurement indicators which measure the implementation of the achievement of factors.

RECOMMENDATIONS:

- **Testing of 4 factors indicates that the need for monitoring the Justice System and diagnosing the state of judicial integrity is great, although no measurement and assessment system of 1) independence and impartiality, 2) duration of the proceedings, 3) the competence of judges, 4) the treatment of parties in court hearings, 5) access to justice, 6) integrity (7) public confidence cannot be realized without statistical data as well as a reliable, accurate case management system and judicial information**
- **Testing of the four factors indicates that a complete test of the 35 factors, namely the implementation of MJI, is currently impossible due to the reorganization of the judiciary at the organizational, administrative and structural levels.**
- **Testing of the four factors is mostly beneficial to get feedback from the actors involved, on the potential success of judicial monitoring over 35 factors, for the future.**
- **Testing of 4 factors proved that the performance indicators were accurately defined in MJI, but were not complete.**
- **Testing of 4 factors confirmed that there is room for improvement and enhancement of achievement indicators in the MJI document, as well as exploration of measurement indicators.**

⁴¹ <http://www.reformanedrejtesi.al/>

PILOT PROJECT ON MONITORING JUDICIAL INTEGRITY

GOAL: The project "**Civil Society Inclusion for a Functional and Equitable Justice System for All in Albania**", funded by the European Union and implemented by Save the Children and the Integrated Legal Services and Practices Center, has planned to develop several activities related to the justice system.

The **Institute of Public and Legal Studies**, as part of the expertise, has taken on the development of a strategic-administrative document "Monitoring Judicial Integrity" (hereinafter "MJJ"), and its piloting as an experimental stage. This document addresses the factors impacting Judicial Integrity (a total of 35 factors recognized by constitutional and legal standards and international norms and practices), required performance and achievement and measurement indicators (a total of 105 indicators)

PURPOSE: The MJJ methodological document is intended to be used primarily by Civil Society Organizations, but also by other stakeholders involved in decision-making on the judiciary, for the continuous monitoring of judicial integrity, according to the means and methods suggested in it. This document provides a scientific methodology for measuring integrity in the judiciary, and will be consulted with the judiciary managers and policymakers with the aim of legitimizing it and using it in the long-term future.

The piloting of five factors from the MJJ document, part of the chapter "Transparency and Active Participation" was made possible based on testing conducted at the Supreme Court. Achievement and measurement indicators were also discussed with representatives of this institution. Regarding the rating of the level of achievement, no measurement units were defined, such as "very good, good, sufficient, not at all", or "fully achieved, in part, not at all", since this accurate level of assessment would have to be based on another methodology, specific for each factor, depending on the purposes and objectives of respective projects in the future.

SELECTED FACTORS:

Factor 3.1 *Access to quality justice, communication with courts’ users and the public*

Factor 3.2 *Public and press/media access to judicial procedure and to court rooms/premises*

Factor 3.3 *Access to court verdicts (archives, database) and other court-related information*

Factor 3.4 *Reasoning of judicial decisions*

Factor 3.5 *Generating information and the effective solution of participation challenges for the parties, the public and the press*

Factor 3.1 <i>Access to quality justice, communication with courts’ users and the public</i>	
Performance Indicators	<p>Constitutional⁴² and legal standards for access to judicial and administrative information⁴³, national Albanian institutional practices, and internationally stated standards⁴⁴ require effective access of stakeholders, but also of the public, to information.</p> <p>Guaranteeing success would require the right to access court records⁴⁵ and the right to access (to both view and receive a copy) of any kind of information / record / logbook, including non-documentary ones and those exceeding the level of just a "judicial file". To the extent possible, courts should offer their services to litigants through the use of new technologies⁴⁶. Courts should intensify the use of electronic communication routes with the public⁴⁷.</p> <p>Everyone should be treated equally and without any discrimination by the courts. Everyone has equal access to the court and has the right to address the court for the protection and enforcement of his/her legal rights. Courts must function transparently, quickly and efficiently⁴⁸.</p>
Indicators of Achievement	<p>The way how these standards are implemented at the administrative staff level of the courts and at the institutional level by the court.</p> <p>Objective indicators of the transparency of the judiciary: - existence of transparent case management mechanisms; - the content of case management mechanisms; - the appeal procedure with the possibility of participating in this procedure from the outside; - the purpose of the appeal procedure; - Appeal of decision after the complaint; - number of complaints.</p> <p>Periodic reports of the judiciary with the following sub-indicators: - annual</p>

⁴² Article 23, prg.1 and prg.2 of the Constitution

⁴³ Article 339/1 of the PPC and Article 26 of the CPC; Law no.119/2014 “On the right to information”

⁴⁴ They have been affirmed by Courts, Constitutions, international treaties, (Article 10 of the ECHR, Article 11 of the European Charter of Basic Rights of EU, etc.)

⁴⁵ Regulation no.1049/ 30 May 2001 of CoE "On public’s access to European Council, Parliament and Commission documentation"

⁴⁶ Recommendation No. R (2001) 3 of the CoE CoM on offering judicial services and other legal services through the use of new technologies

⁴⁷ Recommendation No. R (2001) 3 of the CoE CoM on offering judicial services and other legal services through the use of new technologies

⁴⁸ Article 5 of Law no. 98/2016

	reports; - publication of annual reports; -the purpose of annual reports; - Relations with the Media with the following sub-indicators: explanations of court decisions in the media; - available guidelines on media relations; - reporting of issues by the media; - assigning a judge to work with the media at each court of appeals.
Measurement Indicators	<p>The transparency standard method of measurement is achieved by assessing the Albanian legal framework on transparency, by monitoring the Albanian judicial-administrative practice regarding access to information and documentation in comparison with the required legal standards.</p> <p>Monitoring and measurements according to well-known and already explored methodologies through a range of indicators, from various civil society subjects, as well as from the Media, and development of analysis regarding the achievement of this standard.</p> <p>Cooperation Agreements with the independent administrative institution of the Commissioner for the Right to Information and Protection of Personal Data, and development of scientific methodologies for measuring access to information in compliance with domestic and international standards.</p>
Factual achievement, based on testing of measurement indicators	<ul style="list-style-type: none"> - The Supreme Court has developed an official website where it provides an opportunity to get acquainted with the list of trials to those interested as immediate parties to trial, but also to the media and public at large: http://www.gjykataelarte.gov.al/web/Lista_e_Gjykimeve_5_1.php - There have so far been no surveys with users regarding transparency and access to the Supreme Court, which would allow for reaching conclusions on the level of access by court users but also on transparency according to the public perception. This pilot project did not allow for surveys to be carried out, either due to time or financial constraints. - Assigning a judge as a liaison with the press, as a model that has been embraced by the Law on the Organization of the Judiciary⁴⁹, but also by the Law on the Governance Bodies of the Judiciary⁵⁰ - there are still no concrete developments in this regard. It is expected that the HJC regulations and the filling in of vacancies in the CC will give an impetus to meeting this requirement of the law, which would in fact be an indicator in itself of professional communication with the public on judicial activities. - Annual reports are developed for the purpose of analyzing the judicial activity of the court and making it <i>de facto</i> transparent for internal purposes, as confirmed by the meeting with representatives of the CC⁵¹. However, they are not published for the effect of transparency and the right to information of the public⁵². <p>However, the HJC has the obligation to develop annual reports under Law no. 115 / 2016, where part of the reporting will also be on the activity of the CC. The HJC is still in the first year of its activity⁵³.</p>

⁴⁹ Article 46 of Law no. 98/2016.

⁵⁰ Article 91/3 of Law no. 115/2016:

The High Judicial Council shall appoint at least one media judge for each appeal jurisdiction. In those cases where communication with the public cannot be carried out by him/her, the service shall be carried out by the press service of the Council.

⁵¹ Meeting of April 26th, at the CC.

⁵² Article 82 of Law no. 115/2016:

⁵³ Established in December 2018.

Level of Achievement	Level of achievement		Rating	
	Excellent - Exceptional Achievement		A	
			A-	
	Good - Extensive Achievement		B+	
			B	
			B-	
	Satisfactory - Acceptable Achievement		C+	
C				
Poor - Minimal Achievement		*D		
Failure - Inadequate Achievement (To secure credit, course must be repeated.)		F		

Factor 3.2 Public and press/media access to judicial procedure and to court rooms/premises

Performance Indicators	Access to justice ⁵⁴ begins with the initial court access and the orientation of court-users (citizens and businesses). Establishing contact with the courts ("go to court") is an element of a qualitative justice system and starts with the availability and accessibility of information at the initial stage (encouraging the use of IT (e-justice) <i>so that procedural information is complete, accurate and updated, using IT⁵⁵ as a fundamental aspect of ensuring compliance with Article 6 of the ECHR⁵⁶. The court hearing is public, unless otherwise provided by law⁵⁷.</i>
Indicators of Achievement	<p>The effectiveness and practicality of exercising the right to initiate court proceedings would be an indicator of the achievement of this standard. Ease of court use and guarantees and assistance from the state for access to a quality justice. Indicators of achievement should focus on questions like:</p> <ul style="list-style-type: none"> ✓ Is the individual concerned obligated to go to court, or is there any other alternative? ✓ Can they pursue the case themselves, or do they need a legal representative? ✓ Can one get free legal aid, if they need it? ✓ When and how should the court expenses be paid, and how much are they estimated in advance? ✓ Are there (user-friendly) standardized forms and instructions

⁵⁴ Access to Justice “The Courts”, UNODC

⁵⁵ Article 47 “Information technology service” of Law no. 96/2016

⁵⁶ Opinion no. 14, (2011) of CCJE

⁵⁷ Article 5/3 of Law no. 98/2016.

	<p>for drafting and filing a lawsuit, counterclaim, appeal, recourse, etc., and where should the applicant go to submit them?</p> <ul style="list-style-type: none"> ✓ Are there outreach programs to educate the public at large about establishing relations with the court and about their roles? ✓ Is there an adequate policy or regulatory framework, verifiable and supervised, in relation to the above? 												
<p><i>Measurement Indicators</i></p>	<p>The transparency standard method of measurement is achieved by assessing the Albanian legal framework on transparency, by monitoring the Albanian judicial-administrative practice regarding access to information and documentation in comparison with the required legal standards.</p> <p>Monitoring and measurements according to well-known and already explored methodologies through a range of indicators, from various civil society subjects, as well as from the Media, and development of analysis regarding the achievement of this standard.</p> <p>Cooperation Agreements with the independent administrative institution of the Commissioner for the Right to Information and Protection of Personal Data, and development of scientific methodologies for measuring access to information in compliance with domestic and international standards.</p>												
<p><i>Factual achievement, based on testing of measurement indicators</i></p>	<p>- Rules or special norms of the Court's relationship with the Media, as well as rules for payment of court fees and expenses, are expected to be included in HJC acts.</p> <p>- Access to court rooms is thought to be sufficient in cases where there is a public interest for citizens to attend hearings. However, setting up monitors fills the gap in cases of exceptional influx of persons, without becoming a barrier to public access⁵⁸.</p>												
<p><i>Level of Achievement</i></p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Level of achievement</th> <th style="text-align: center;">Rating</th> </tr> </thead> <tbody> <tr> <td style="background-color: #d9e1f2;">Excellent - Exceptional Achievement</td> <td style="text-align: center;">A A-</td> </tr> <tr> <td style="background-color: #d9e1f2;">Good - Extensive Achievement</td> <td style="text-align: center;">B+ B B-</td> </tr> <tr> <td style="background-color: #d9e1f2;">Satisfactory - Acceptable Achievement</td> <td style="text-align: center;">C+ C</td> </tr> <tr> <td style="background-color: #d9e1f2;">Poor - Minimal Achievement</td> <td style="text-align: center;">*D</td> </tr> <tr> <td style="background-color: #d9e1f2;">Failure - Inadequate Achievement (To secure credit, course must be repeated.)</td> <td style="text-align: center;">F</td> </tr> </tbody> </table>	Level of achievement	Rating	Excellent - Exceptional Achievement	A A-	Good - Extensive Achievement	B+ B B-	Satisfactory - Acceptable Achievement	C+ C	Poor - Minimal Achievement	*D	Failure - Inadequate Achievement (To secure credit, course must be repeated.)	F
Level of achievement	Rating												
Excellent - Exceptional Achievement	A A-												
Good - Extensive Achievement	B+ B B-												
Satisfactory - Acceptable Achievement	C+ C												
Poor - Minimal Achievement	*D												
Failure - Inadequate Achievement (To secure credit, course must be repeated.)	F												

⁵⁸ Meeting of April 26th, at the CC.

Factor 3.3 Access to court verdicts (archives, database) and other court-related information	
Performance Indicators	Courts should create electronic archives, which will enable the retention and use of electronic documentation ⁵⁹ . Access to judicial decisions (court archive service ⁶⁰) and other court-related information should be substantial, effective, and through the most appropriate means to the applicant. The Documentation Center at the Supreme Court provides transparency and online access to the decisions of this court ⁶¹ . All official documents should be recorded and published and the publication on the electronic database should be encouraged.
Indicators of Achievement	Indicators of Achievement should focus on questions such as: <ul style="list-style-type: none"> ✓ Are all documents of a "judicial file" legally presumed to be accessible by the public, with some minor exceptions and narrowly defined? ✓ Is there a legal requirement / obligation to proactively publish all court decisions and judgments? ✓ Is there a "civil servant" in the courts that responds to requests from the public ("fishing for information") related to information that is not found on electronic databases and who is obliged to respond to them?
Measurement Indicators	Measurement methods same as in 3.1.3. The transparency standard method of measurement is achieved by assessing the Albanian legal framework on transparency, by monitoring the Albanian judicial-administrative practice regarding access to information and documentation in comparison with the required legal standards. Monitoring and measurements according to well-known and already explored methodologies through a range of indicators, from various civil society subjects, as well as from the Media, and development of analysis regarding the achievement of this standard. Cooperation Agreements with the independent administrative institution of the Commissioner for the Right to Information and Protection of Personal Data, and development of scientific methodologies for measuring access to information in compliance with domestic and international standards.
Factual achievement	The Supreme Court has appointed a transparency coordinator as the person responsible for the right to information.

⁵⁹ Recommendation no. R (2003) of the CoE Ministers' Committee " On archiving of electronic documents in the justice sector ".

⁶⁰ Article 48 of Law no. 96/2016

⁶¹ Article 35 of Law no. 98/2016, according to which: The Documentation Center shall: a) ensure the immediate publication of Supreme Court decisions in accordance with the provisions on personal data protection; b) analyze and evaluate the decisions of the Supreme Court and ensure the publication of the extracts of the main decisions and publish the full decision c) follow and study the case law of other courts and international courts and give judges, assistant magistrates and non-judge legal assistants information on the legal interpretations by the courts. 2. The Documentation Center works under the supervision of the Supreme Court Vice President.

<i>t, based on testing of measurement indicators</i>	This court also clarifies the interested parties about the ways of obtaining a reasoned decision through several methods: http://www.gjykataelarte.gov.al/web/Vendimet_dhe_botimi_i_tyre_60_1.php . The tab “how to communicate with the court” helps a person or media with some guidance: http://www.gjykataelarte.gov.al/web/Si_te_komunikojme_me_Gjykatene_Larte_64_1.php
<i>Level of Achievement</i>	(…)
Factor 3.4 Reasoning of judicial decisions	
<i>Performance Indicators</i>	<p>Judicial decisions must be reasoned. The Supreme Court should publish its decisions as well as minority opinions⁶². The judge should explain the reasons for his decisions, referring to the facts for which the process was held, the applicable laws and the various requests of the parties. In its entirety, it should be considered as a unity in which the constituent parts are closely linked to each other. They should be at the service and helping each other. The arguments of the reasoning part must be based and logically bound, respecting the rules of fair thinking. They should form a coherent content within the decision which excludes opportunities for any overt or covert contradictions. These arguments should also be sufficient to support and accept the ordering part. The conclusions of the reasoning part should be based not only on the legal acts, but also on the principles and rules that characterize sound and logical thinking.⁶³</p> <p>Reasoning of decisions is an essential element of a fair decision. The decision may be verified by a higher court according to the relevant procedures and, for this to be possible, the reasoning of the decision must be made in which the judge clearly states the facts and the applicable law which have led to choosing among several options.⁶⁴</p> <p>The function of a reasoned decision is to tell the parties that they have been heard. On the other hand, only by giving a reasoned decision can a public control of the administration of justice be realized⁶⁵. Article 6 of the ECHR obliges the courts to reason their decisions but this cannot be understood as requiring a detailed answer to each argument.⁶⁶</p> <p>The aspect of the judicial decision reasoning is evaluated based on indicators such as the clarity and understanding of the decision, the stable and well-organized structure of the decision as well as the quality of the analysis and of the logical argument.⁶⁷</p> <p>A court decision that only clarifies the verdict is a decision that gives only clarity and legal certainty; however, the decision must demonstrate that a) the judge has</p>

⁶² Article 142 of the Constitution

⁶³ Constitutional Court decisions no.11, of 02.04.2008; no.7, of 09.03.2009; no.23, of 23.07.2009

⁶⁴ *Ibid*

⁶⁵ ECtHR Decision in the case of Hirvisaari v. Finland, 27 September 2001, prg. 30

⁶⁶ ECtHR Decision in the case of Van de Hurk v. Netherlands, 19 April 1994, prg. 61

⁶⁷ Article 72/3 of Law no. 96/2016

	"correctly understood and reflected the particular case before him", and that the judge b) "has made justice between the parties", preventing other conflicts and contributing to social harmony.
<i>Indicators of Achievement</i>	<p>The analysis of court decisions by the highest court for the lowest, according to the procedural claims of the parties, is an indicator of the achievement of this standard, which should focus on these questions:</p> <ul style="list-style-type: none"> ✓ Is the reasoning clear, comprehensible⁶⁸ and complete in terms of the legal and analytical basis with regard to the facts and evidence that justify it? ✓ Has the judge responded in the reasoning of the decision to all parties' claims and did he specify, reasoning all the points that justify the court decision and make it lawful? ✓ Does the decision reflect compliance with the principles of the Supreme Court, Constitutional Court, and ECtHR jurisprudence? ✓ How many complaints and recourses have been based on the violation of this standard by the interested parties? ✓ How often does the judicial decision of specific judges become vulnerable to reviews by higher courts, precisely because of the failure to meet the reasoning standard?
<i>Measurement Indicators</i>	<p>Measurement method is the same as in 2.3.3 above. Data and statistics on the overturning of decisions by higher courts on this standard of performance, i.e. the reasoning of judicial decisions.</p> <p>Research and statistical analysis of decisions of the Supreme Court and Constitutional Court in terms of the standard of judicial reasoning.</p> <p>Judicial control of decision-making within the national system of law itself on this element is a standard of performance, but also of the level of reasoning of the judicial decision.</p>
<i>Factual achievement, based on testing of measurement indicators</i>	<p>There are no statistics of an analytical approach, according to the object or the claims of the parties. The CC produces statistics of a numerical nature, mostly for organizing and managing court cases⁶⁹. This factor would require serious statistics and study samples of cases overturned for procedural violations of the reasoning standard.</p> <p>There are no studies or publications of this nature for the decisions issued by the CC regarding the standard of reasoning. Therefore, this performance standard cannot be measured at this time. The same can be said for decisions repealed by the CC regarding this standard, as well as ECtHR decisions, where it has been</p>

⁶⁸ Opinion no. 7/2005 f CCJE

⁶⁹ http://www.gjykataelarte.gov.al/web/Publikimi_i_statistikave_per_vitin_2018_5479_1.php

found that the CC has committed a violation regarding the standard of reasoning, for which statistics and analysis are missing over the years⁷⁰.

Level of Achievement

Level of Achievement	Rating
Excellent - Exceptional Achievement	A
	A-
Good - Extensive Achievement	B+
	B
	B-
Satisfactory - Acceptable Achievement	C+
	C
Poor - Minimal Achievement	*D
Failure - Inadequate Achievement (To secure credit, course must be repeated.)	F

Factor 3.5 Generating information and the effective solution of participation challenges for the parties, the public and the press

Performance Indicators

Ensuring transparency and access to judicial information as well as administrative information produced by the courts. Ensuring physical access to courtrooms for users, including those with physical disabilities. Effectiveness of solving the demands of the parties and the public. Legal standards require **public relations services** to provide information to the public and the media regarding court activities, as well as on certain court cases, in accordance with the rules adopted by the High Judicial Council. The aim is to: a) provide the media and the public with factual information about judicial decisions and correcting possible errors on facts in certain cases; b) to communicate to the media a summary of court decisions on matters of public interest; c) to maintain media contact for court hearings of issues of particular public concern; ç) to provide information, in accordance with the law "On the right to information", in particular with regard to current court cases and court administration; d) to publish all court decisions in accordance with the law⁷¹.

Indicators of Achievement

Effectiveness and practicality of enabling attendance in court proceedings would be an indicator of the achievement of this standard. The facilitation of

⁷⁰ In the case Mullai v. Albania, the ECtHR maintains that: " ... there has been a violation of the principle of legal certainty as to the **lack of uniform reasoning** in domestic court decisions regarding the legality of the construction permit".

⁷¹ Article 46 of Law no. 98/2016.

	<p>court users and the physical access to courtrooms would be indicative of the achievement of the standard of court access by the interested parties. Indicators of achievement of effective solutions related to physical and virtual access to courts:</p> <ul style="list-style-type: none"> ✓ How quickly certain information is generated? ✓ The quality of information: whether it is correct, proper, usable, etc. ✓ In addressing the demands of the parties and the public, is there a "problem-solving approach", or are there unjustifiable administrative barriers and obstacles? 												
<i>Measurement Indicators</i>	<p>Measurement methods as in 3.1.3. and 3.2.3. Measurements based on monitoring, statistics and data analysis generated by the system as well as on surveys by users of justice services, in accordance with CEPEJ standards.</p>												
<i>Factual achievement, based on testing of measurement indicators</i>	<p>The Supreme Court official website provides opportunities for information through the Transparency Program, as follows: http://www.gjykataelarte.gov.al/web/Programi_i_Transparences_10_1.php</p> <p>Providing on-line information is presumed to facilitate communication between the court and the public concerned. However, there are no analysis or surveys related to this factor. Information on the judicial activity of the CC which is published online is sufficient, but the interaction between the CC and the regular courts remains an issue, due to the fact that the information retrieved by an individual online is not accepted by these courts.</p>												
<i>Level of Achievement</i>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Level of Achievement</th> <th style="text-align: center;">Rating</th> </tr> </thead> <tbody> <tr> <td>Excellent - Exceptional Achievement</td> <td>A A-</td> </tr> <tr> <td>Good - Extensive Achievement</td> <td>B+ B B-</td> </tr> <tr> <td>Satisfactory - Acceptable Achievement</td> <td>C+ C</td> </tr> <tr> <td>Poor - Minimal Achievement</td> <td>*D</td> </tr> <tr> <td>Failure - Inadequate Achievement (To secure credit, course must be repeated.)</td> <td>F</td> </tr> </tbody> </table>	Level of Achievement	Rating	Excellent - Exceptional Achievement	A A-	Good - Extensive Achievement	B+ B B-	Satisfactory - Acceptable Achievement	C+ C	Poor - Minimal Achievement	*D	Failure - Inadequate Achievement (To secure credit, course must be repeated.)	F
Level of Achievement	Rating												
Excellent - Exceptional Achievement	A A-												
Good - Extensive Achievement	B+ B B-												
Satisfactory - Acceptable Achievement	C+ C												
Poor - Minimal Achievement	*D												
Failure - Inadequate Achievement (To secure credit, course must be repeated.)	F												

CONCLUSION:

- *The testing of these five factors shows that the implementation of the MJI methodology is applicable to monitoring judicial integrity and the proposed tools succeed in producing concrete, measurable and tangible results.*
- *The testing of these five factors proved that performance indicators and achievement indicators were accurately defined in the MJI, but of course they can be added or amended in the future in light of the objectives and goals of respective projects.*
- *Measurement Indicators, such as: surveys, polls, content analysis, statistics and statistical analysis, in other words all quantitative and qualitative methods of performance measurement are almost absent, and therefore piloting Public Access and Transparency Standards in the Supreme Court emphasized a marked insufficiency of their application in up-to-date performance rather than the practicality and functionality of measurement methods. Consequently, starting to monitor judicial integrity by employing the tools enlisted in this project is necessary in order to take the first steps of this monitoring process which will undoubtedly bring about measurable results on judicial integrity as well as a wealth of systematic data and analyses on monitoring the system on a long-term basis.*