

Fier District Court

“Justice Without Delays” Initiative

ACTION PLAN

Drafted in the Working meeting held on 21 - 22 September 2017, Vlora

Measures to be taken by the Court

There is a need to work on the parties' expectations – raising their awareness that they should be prepared when presenting to the court and they should dispose all the evidence.

Upon filing the claim:

The judicial secretary, at the moment of the claim being filed shall request from the claimant to fill the form with the contact data of the claimant, respondent, complete addresses, telephone number, and all other data relating to other persons or other contact numbers, that enables notification of the party as well as the model form for “confirming consent to be notified via email” (*when this opportunity exists*). The claim shall not be accepted without this form.

The court shall inform the parties and citizens for the use of this form via its information corner. The chancellor/chief secretary shall ensure that the claim contains formally all of its elements, in accordance with the rules of the CPRC.

Consequently, the plaintiff must: submit the **evidence in the form required by law** and submit copies of them equal to the number of parties; determine the value of the claim at the time of filing, and on this basis he/she must **pay the registration fee** (*for those who are exempted from taxes, a request for exclusion from taxes is requested to be attached with the claim*). The registration of the claim shall be carried out only after submission of an ID copy, in order to avoid inaccurate generalities.

Better planning of sessions:

- A request to be sent to the Magistrate School for earlier notification of dates when training/conferences are organised.
- After becoming aware of the reasons for the annulment of the session, preliminarily annulling it and notifying its conduct on a second date. Relating the causes for its postponement is to be conducted in the next session.
- Request to local institutions for continuous participation in court sessions.

Summons:

- Use of parallel notification methods, especially notifications via email and telephone, declared on the form where the other party grants their consent for this notification.
- Growth of the use of electronic communication with the institutions.
- Strengthening if the cooperation with the Post Office, periodic meetings with the director to improve delivery of summons.
- Training of the post office personnel by the court clerks.
- Consideration of penalties for the Post Office when the service is not provided according to the rules and legislation in power.

Measures required to be taken by local institutions and parties in court and cooperation with them

The Court shall hold meetings with high-level representatives of local institutions (*among things to be discussed is the obligation of having an accurate contact list of these institutions*).

A special meeting shall be organized by the court in collaboration with partner organizations, with representatives of the institutions as follows:

Local Institutions:

IPRO, Aluizni, Municipality (social services office), Civil Registrar's Office and PI: correspondence with the above institutions by requesting participation of their staff in hearings, as well as the delivery of acts/documents relating to the case.

Vlora Appeal Court:

Special meeting to be held with the Vlora Appeals Court enabled by international partners, in connection with the measures taken in the framework of the initiative.

Prosecutors:

- To share with the District Chief Prosecutor the problem of prosecutor absent from hearing sessions.
- Prosecutors in cooperation with the judicial police officers are to ensure since the initial investigation correct addresses for witnesses and defendants.
- Declarations are to be brought before the start of court sessions.
- In criminal cases, parties are required to present in the same session final conclusions, when possible. Even when proceeding through abbreviated trial, the prosecution as well as the lawyer shall be required to present finale pretences within the same session, without requesting postponement of judgement for this cause, because, the request for judgement, presented by the prosecutor and accepted by the court as such, would be similar to the final conclusions of the case in judgement.

Lawyers:

The claim should contain all the CPRC required elements at the moment of filing, including also evidence acquired by appropriate institutions.

Contact form must be filled by lawyers. Available copies shall be provided by the court and an instruction document on how to fill them.

Requests for abbreviated trials are to be handed in before and the court is to be notified at an earlier time.

Experts:

Delivery of the act of expertise is to be conducted several days before the session so that parties can be notified in due time.

The party in charge of completing the payment shall hand into the secretary of the court proof of prepayment of the expert.

PI:

Criminal requests that are sent to the court from prisoners are to be drafted with the aid of a legal assistant from the institution.

The request of the prisoner is to be given preliminarily to the court.

Police Commissariat:

Meeting with the Director where the problems arising mainly from the summons are to be discussed.

Communication of the decisions concerning restraining orders that are communicated via email followed up by a confirmation for their receipt by the police commissariat.

Objectives of the Court

Through the implementation of the above mentioned measures by each actor, we aim to reach the following objectives through the project “Justice Without Delays”:

For civil cases:

The average number of the hearings to be reduced from 4.4 to 3.5.

For criminal cases:

The average number of the hearings to be reduced from 5.3 to 3.

Unproductive hearings:

- Reduction of unproductive hearings in civil cases from 35% to 25%.
- Reduction of unproductive hearings in criminal cases from 27% to 20%.

Other issues outside the ambit of the “Justice Without Delays” initiative:

- Meeting with the Director of the Civil Registry for access in the registers with the purpose of obtaining addresses (the same level of access granted to the prosecution).

CHAIR

Roland Jaupaj