

Saranda District Court

“Justice Without Delays” Initiative

ACTION PLAN

Drafted in the Working meeting held on

21 – 22 May 2018, Himara

Measures to be taken by the Court

Upon filing the claim:

The chief 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*). In the interest of completing the claim within a reasonable deadline, it should be accompanied with the form containing contact data.

The court shall inform the parties and citizens for the use of this form via its information corner and webpage. The court shall ensure that the claim contains formally all of its elements, in accordance with articles 153, 154 and onwards 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.

In the hearing when possible, the judicial secretary shall request the filling of the form with the contact data for the indicted.

To be worked with the expectation of the parties so that both are aware that when they come to court they need to be prepared and dispose all evidence.

Parties are to be notified so that when they show up for the session they should have ID cards, stated in the summons.

Unified stance shall be held towards requests for postponement, so as not to provide cause to the parties to present requests for postponement that is not based upon evidence.

Preliminary annulment of the hearing, when the court becomes aware of the impossibility of the session being developed.

In the periodic meetings of the court, are to be discussed especially those subjects causing delays.

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

The Court shall hold meetings with high-level representatives of local institutions, including those of the IPRO, Municipality (discussing the problems for the confirmation of the notification), Civil Registrar's Office, Social Insurance Directory, Regional Post Office Directory, etc.

Continuing correspondence with local institutions directors for concrete issues.

Every judge is to evidence the problems with a specific institution.

Post Office

For this purpose the court shall hold separate meetings with the head of Saranda Post Office, to identify the problems in writing, to include also the orientation for return of acts attached to the summons.

The post office personnel must be periodically trained and instructed in cooperation with the head of the institution, on the procedural rules of the notification provided by the CivPrC and CrPrC *{e.g. when a party refuses to take the notice, the postman must insure the existence of a witness, when they go to their home and the party is not found the summons is to be notified to relatives (family members, or neighbors)}*.

The court will also attach the evidence submitted by the claimant and the contact form and the "contact form for the plaintiff" or "third parties", which is to be returned to the court filled from the post office employee, together with the signed summons.

Contact telephone numbers of post office employees for the court administration (couriers) with the objective of solving problems in actual cases. Constant telephone contact is to be maintained between the post office employees and court couriers, when encountering problems during notifications of summons.

Evidencing of the irregular notifications so as to notify the postal service to take measures that this is not repeated, but also in aiding the finance office of the court so as it deducts the payment for such irregular summons.

Lawyers:

Awareness raising meetings conducted with the Local Chamber of Lawyers and information provided to the National Chamber of Lawyers for the non-acceptance of requests for postponement for the reason that the lawyer is present in another court session.

Lawyers are to be informed that when depositing the claim, it should contain all the CPrC required elements at the moment of filing.

Regular power-of-attorney documentation for representation shall be provided in the session.

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

Evidence must be provided since in the first hearing and it must be put at the disposal of the

other party before the hearing date.

The calendar of court sessions shall be applied at its outmost with the lawyers.

In the regular, direct and abbreviated trial, lawyers must be prepared to submit their written remarks in the same hearing with the Prosecutor.

Prosecutors:

To be shared with the Director of the Prosecution's Office Saranda of the problematic of prosecutors being absent in court sessions.

To agree on a calendar of week day court sessions.

Where possible, in abbreviated trials, final conclusions of the prosecutor and defence are conducted in the same session.

Police Commissariat:

Meetings with the Director where the problems encountered mainly with the summons are to be discussed. The application of the contact form in criminal cases from the judicial police officers.

The use of the police commissariat for parallel notifications.

Experts:

The act of expertise shall be deposited with the court before the start of the next hearing, so that parties may have the possibility to consult with it before the session.

Communication of the act of expertise through e-mail, divulgement with the court and parties.

The application of sanctions in those cases when it's necessary.

Objectives of the Court

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

For civil cases:

The average number of the hearings to be reduced from 3.7 to 3 for court cases.

For criminal cases:

The average number of the hearings to be reduced from 3.3 to 2.5 for court cases.

Unproductive hearings:

Reduction of unproductive hearings in civil cases from 22 to 15%.

Reduction of unproductive hearings in criminal cases from 22 to 15%.

CHAIR

ALLTUN ÇELA

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

- The lack of a registering secretary/chief secretary next to the Court of Saranda, a problematic that needs to be raised also with the HCJ/CBAO.