



SHKOLLA E MAGJISTRATURËS

E REPUBLIKËS SË SHQIPËRISË



Albanian Magistrates' School

**Launch of South-East European Judicial Training Network
– Initial Step to the Establishment of Framework for
Integrated Anticorruption Legal Education in the Region**

**Sofia, Bulgaria
24 – 25 April 2012**

Position and organization of the MS

- Magistrates' School of the Republic of Albania was founded in 1997, by law. The School of Magistrate is a public, budgetary and independent institution.
- The highest decision-making body is the Steering Council composed by 16 members (2/3 of them are *ex officio* – e.g. President of Supreme Court, General Prosecutor, Deputy Chairman of the High Council of Justice, etc).

Steering Council of the MS

- Steering Council leads and controls all the academic, administrative and financial activity of the Magistrates' School, regarding the performance of all goals and duties charged by the law.
- It gives the approval for Initial Training Program and Curriculum, lists of experts, methodology, criteria of selection of new judges and prosecutors, etc.
- It approves the Program of Continuous Training, evaluates the needs assessment for all Judges and prosecutors, selection of topics that meet their needs, etc.

Objectives of the MS

- Magistrates' School of the Republic of Albania realizes:
- 1) Initial Training Program for new judges and prosecutors;
- 2) Continuous Training Program of judges and prosecutors, in duty;
- 3) Continuous Training of other legal professions;
- 4) Publications, researches and studies.

Initial Training Program

- Initial Training Program of candidates includes a 3 year period consisting of:
- (a) one year – a theoretical/practical program with 19 courses;
- (b) second year – is the passive practice, under the care of a pedagogue of the School and under the direction of a judge or prosecutor. During this year, the candidate should attend for two days of the week the courses, discussion sessions and mock trials school and three days of the week for practical work in the courts and prosecutors' offices *or* in other justice institutions. The second year has 16 courses.
- (c) third year – the active practice, that is the period of professional internship.

Continuous Training Program

- Program of Continuous Training is drafted from the School Director, after taking preliminarily the opinion of the President of the High Court, General Prosecutor, Minister of Justice, High Council of Justice and School Pedagogical Council.
- Program of Continuous Training is approved by the Steering Council of the School of Magistrates.
- Participation in the training activities is obligatory.

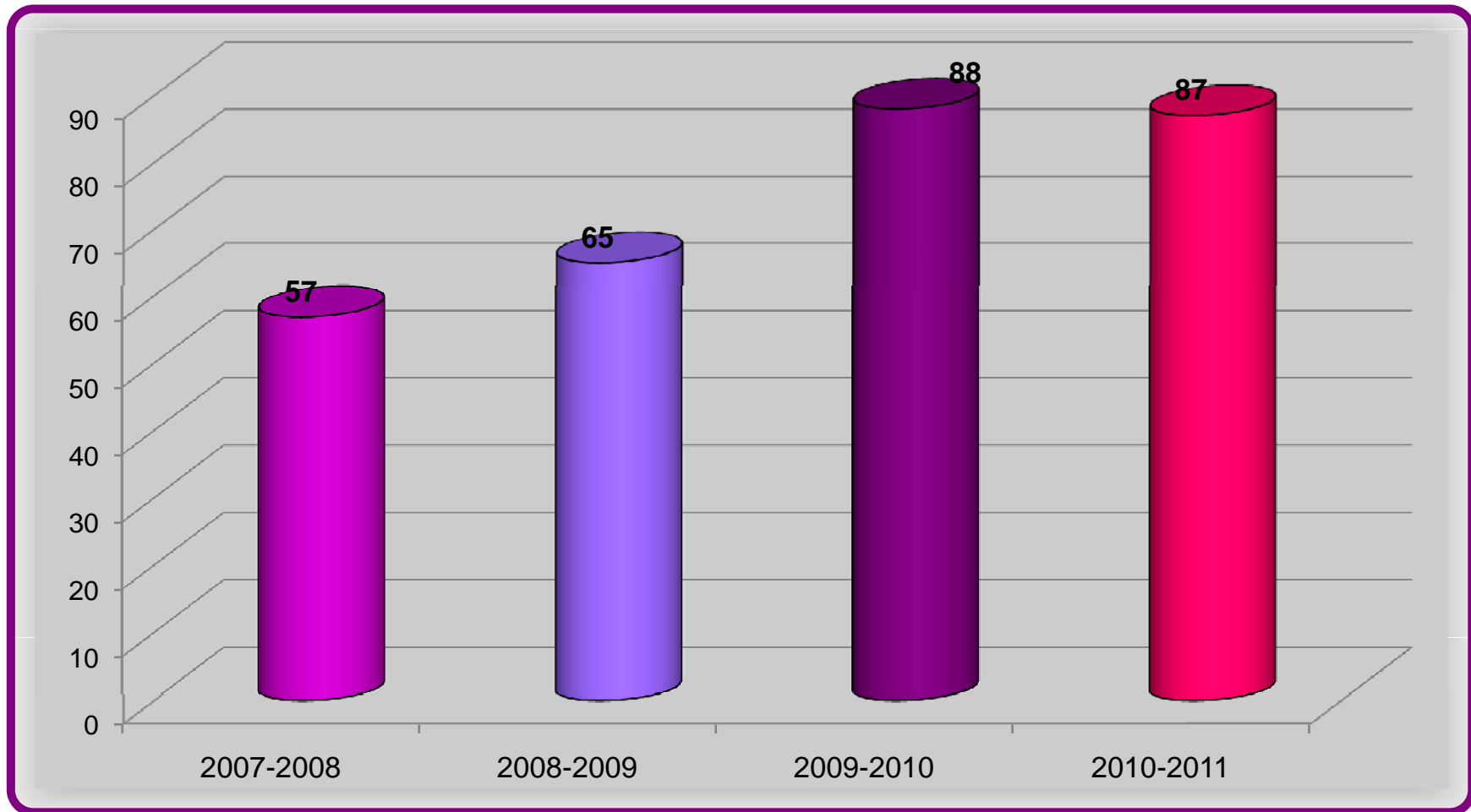
The main objective of the Continuous Training Program

- Increase the professionalism of judges and prosecutors, in order to increase the access to justice, the independence and impartiality of the justice system;
- Further advancement of judges and prosecutors, and also improvement of their professional capacities, *towards*:
 - Professional ethics
 - EU Law
 - Legal reasoning and writing
 - Domestic and international law
- In order to raise their capacities and perform better their professional duties and obligations.

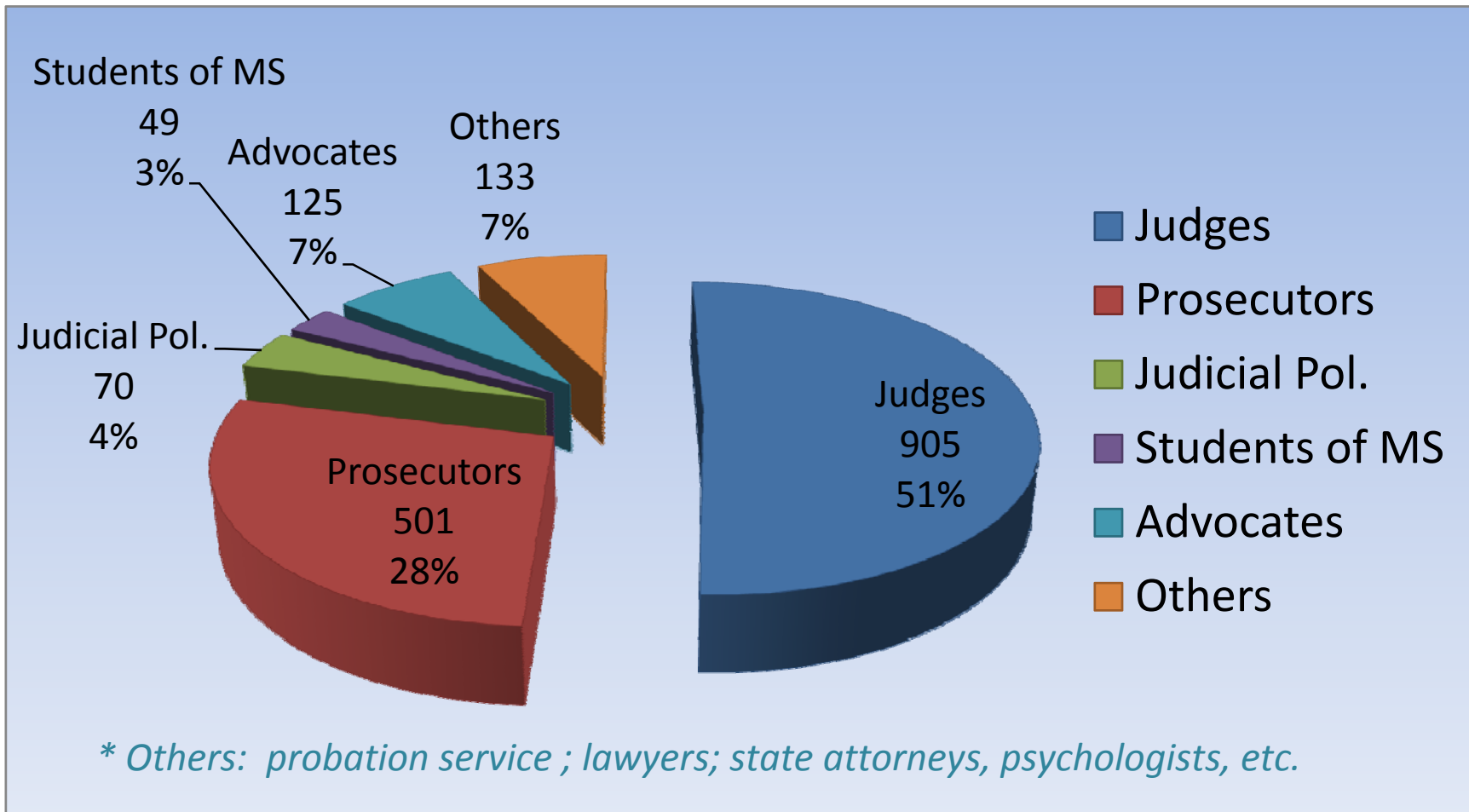
The participants

- The maximum number of the activities per year is 70-90. The maximum capacity of our training school is three training per week.
- The total number of judges in district and appeal court is 350 and the number of prosecutors is 314.
- The training sessions are hold within a period of two days. The sources to support the school are realized by the budget of state and international partners.

Number of Trainings activities for Judges and Prosecutors '07-2011



The participation in the trainings during 2010-2012



The activities of the CTP

- Kind of activities:
- Joint seminars for judges of criminal sections and prosecutors, in criminal matters
- Specialized activities for prosecutors and judiciary police
- Seminars for judges of civil sections
- Joint institutional activities provided by Memorandums of understanding.

The main Training topics for Judges and Prosecutors:

- Human rights protection and legal practice of ECHR
- European material law: 4 freedoms;
- Process of evaluation of evidence and proof in a criminal proceeding;
- Money laundering and seizure of the criminal assets;
- Conflicts related to taxation;
- Administrative and civil contracts;
- **Corruption and financial crime;**
- Legal framework on trafficking of narcotics, human beings;

Selection of the topics

- The School sent the calendar, continuous training program and all the topics, that will be addressed in the training session, to all judges and prosecutors.
- So, that judges and prosecutors can choose the topics they prefer. It drafts the lists of the participants in these sessions, which are approved by the High Council of Justice and General Attorney.
- Also the lists is sent to he chief judges and leading prosecutors of the country, in order to enable more effective participation in training sessions.

The selection of the lectors/trainers

- **The criteria** for the selection of the lectors/trainers of the School, are adopted by the decision of the Steering Committee of the the Magistrates' School:
 - job experience as judges, prosecutors or in their the legal profession, no less than 7 years. For the trainers assessed as Lecturers, (Doctor, Associated Professor or professor), the minimum job experience must be over 15 years .
 - Moral integrity and a good reputation in their job
 - Experience and pedagogical skills and high communication skills
 - Professional experience specified in any subject for which they are going to be experts
 - Scientific activity in a form of publication

Background of the trainers

- The teaching and training staff of the School of Magistrate of the Republic of Albania is recruited, from among the experts and specialists having experience in the fields:
 - judiciary,
 - attorneys,
 - academic, and lawyers with a professional level and teaching skill, as well as prominent legal personality.
 - Public administration

- Experts should take notes on:
- a) Suggestions and remarks to the audience on the current topic and perspective.
- b) Teaching methodology suggested by the audience and themselves.
- c) Suggestions for the modifications to legislation
- d) Overall assessments process by the participants of the workshops
- e) Participation in seminars.
- f) The ability of participation to the seminars focused within their contest.

The methodology of the training

- *The experts/moderators of the continuous training must:*
- Develop an interactive training method where the audience will be treated as a partner.
- Maintain a balance between the theoretical and practical treatment of issues subject to discussion.
- Ensure the constructive interference, scattered but not dominant leaving ample space to discussions of the participants.

Evaluation the trainers and the training session

- The process of work of the trainers should be checked in continuity in order to analyze whether the selection has been successful or failed.
- Evaluation of training is made at the end of the sessions or workshops, by written questionnaires, distributed to the participants, in which they asses all the aspects of the training session, starting from:
 - the topic treated,
 - the performance of the trainers,
 - the prepared materials,
 - the proposals for future trainings.

- *The experts must have the ability to:*
- To coordinate some of the teaching methods such as (oral presentations, written presentations, group work, questions etc).
- To present the workshop materials without any supporting documentation.
- To prepare teaching resource materials necessary for the workshop, supporting theoretical and practical aspects.
- To monitor in a proper level of interaction and the support of teaching methods, purpose and topics of presentations.
- To stay within the time set for a presentation.
- To cooperate with other trainers who are involved in the same seminar or theme.
- To draw conclusions and confirm the results at the end of the presentation.

Evaluation of trainees

The Magistrates' School doesn't make an evaluation of trainees.

The participation on the training is part of the evaluation system adopted by the HCJ, in Albania.

Participation in the training is directly reflected in the everyday work performance of each judge and prosecutor. This is one of the elements which is inspected also by the HCJ.

Main Challenges

- Strengthening of the financial sustainability of School.
- Maintaining the quantity while focusing on the quality of training activities, updating the topics with the standards of the Council of Europe and the jurisprudence of the ECHR
- Improvement of teaching methodology in Continuous Training; training of trainers at the beginning of each academic year;
- Updating the Continuous Training Program based on the needs coming from changes in the legislation as well as from the everyday practice of judges and prosecutors.



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Thank you for your time and attention!