

External financed projects implemented by the Superior Council of Magistracy as main beneficiary or in partnership

➤ The project **“TAEJ-Transparency, Accessibility and Legal Education through improving public communication at the level of the judiciary¹”** (SIPOCA code 454/code MySMIS 118765), financed under the Administrative Capacity Operational Program, and implemented by the Superior Council of Magistracy in partnership with the National Institute of Magistracy, the National School of Clerks, the Ministry of Justice, the Judicial Inspection and the Prosecutor’s Office attached to the High Court of Cassation and Justice.

Until now under the project there were implemented a number of activities designed to contribute to increasing the transparency and accessibility of the services provided by the judicial system, such as running of an information campaign dedicated to citizens, building up of the institution presence in social media, diversifying the means/channels of communication of the judicial system to the public, including by elaborating audio-video materials on the services provided by courts/parquets, the circuit and the procedural aspects of applications submitted.

In particular, during 2022, 500,000 copies of brochures on the role of the institutions in the judicial system, the procedural circuit of claims and indications for the litigants within the courts were distributed to courts and prosecutor’s offices. The general brochure on the judicial system which was produced and distributed to final beneficiaries included 3000 copies in Braille format and 3000 audio copies (CD). They are also available on the website of the Superior Council of Magistracy, in the section dedicated to the TAEJ Project. <https://sites.google.com/csm.csm1909.ro/poca/rezultate>.

The integrated public information campaign was also launched under the slogan “People for Justice”. Justice for People’; the campaign will take place over six months from 12 August 2022 to 10 February 2023. The campaign is nationally broadcasted, both in the off-line environment, through TV, radio and street panels, as well as online, through the Facebook, Instagram, Twitter, LinkedIn, TikTok platforms, the YouTube channel and the www.justitiepentruoameni.ro website. One of the most important goals of the information campaign is increasing legal education among the general public, supporting the dissemination of information translated in accessible language about the institutions within the judicial system, the administrative circuit of a request, the procedural aspects of applications, indications for the litigant within the court, as well as presenting other judicial institutions of public interest².

¹ <https://sites.google.com/csm.csm1909.ro/poca/sipoca-454>

² a) Divorce; B) the way to solve an application in criminal proceedings; C) The protection order; D) the way to settle an application in the civil trial; e) Inheritance; F) labor disputes; g) The process. The taking in of evidence in criminal proceedings; h) Disputes over property; I) The process. Judgment — settlement of an application; J) Exercise of parental authority; K) The process. Means of appeal; L) The costs of the trial; m) Litigation between professionals; N) Mediation and arbitration; O) Maintenance obligations; P) Complaint of contravention; Q) Overview of the judicial

With the same effort to strengthen the legal culture, four informative brochures have been developed in the areas of Enforcement in Civil Matters, Citizens' Rights, Criminal Process for All and Civil Law, in order to be printed and distributed in a 80,000 copies print run at the premises of all courts and prosecutor's offices within the country during 2023.

Last but not least, in order to ensure the visibility of the deliverables developed within the project and to ensure the widest possible dissemination of the information materials, so that they are available to the general public, 9000 informative roll-ups were designed — on the institutions of the judiciary system, indications for the litigant within the court premises and information on vulnerable groups, which were dispatched on the premises of the local and central public authorities, courts, prosecutor's offices, bars, probation services at national level, the National Probation Directorate, Ministry of Internal Affairs and institutions/units subordinated or coordinated by MAI, National Company Bucharest Airports — Henri Coandă International Airport, National Council for Combating Discrimination and National Agency for Roma.

➤ Within the project **“Optimisation of management in the judicial system”**. The **Courts Component**³(SIPOCA Code/MySMIS:751/129513), implemented by the SCM, a number of deliverables were finalized and received during 2022, namely:

- “Integrated standard management manual for courts — final version” and “Methodology for the implementation of management tools at court level — final version”
- Monitoring reports on the work of implementing experts — assistants to the judge in the pilot courts,
- “Analysis of the impact of testing of the management model, according to the results of the pilot exercise”, “Analysis of the impact of testing the management model on the legislative framework, according to the results of the pilot exercise,” and “Proposal for an action plan for the implementation of the management model on all court levels”;
- “Strategy on Court-level human resources”; “Memorandum on the possibility of generalizing the tested model”.

During the period from 1 January 2022 to 30 September 2022, the testing of the standard integrated management model continued at the level of the 19 pilot courts, and the implementation experts - assistants of judges - carried out specific activities during this period, according to the tasks specified in the job description and the rules of the courts organization procedure, under the coordination of the judges appointed within the pilot courts and under the monitorization of experts co-opted from among judges and under the supervision of the members of the management team.

After the completion of the pilot exercise, given that during the implementation of the project it was possible to observe the positive impact of the activity carried out by this new category of staff on the duration of solving the cases and on the deadline/timeline for drafting the decisions and, in general, on the act of justice, the Emergency Ordinance no. 127 of 21 September 2022 on the establishment of contractual staff positions in the organizational chart of the Superior Council of Magistracy's establishment of the

system; R) Cancellation of administrative acts and cancellation of acts of control taxes; S) The Legislative Portal.

³ <https://sites.google.com/csm.csm1909.ro/sipoca751/sipoca-751>

Superior Council of Magistracy was supplemented with the establishment of 165 positions of legal experts, taking over the implementing experts — assistants of the judge.

Also within the project will be developed an integrated information system for court management, designed to support the managerial and administrative activities of the courts.

➤ The project "**The Optimisation of management at the level of the judiciary. Prosecutors' Offices component**"⁴, SIPOCA/MySMIS code: 761/133850, is implemented by the Superior Council of Magistracy in partnership with the Prosecutors' Office attached to the High Court of Cassation and Justie. During 2022 the implementation of this project continued.

Activity No 1 of the project was completed on 29 March 2022, on the occasion of the dissemination of the deliverable "Integrated Standard Management Analysis" to all senior prosecutors in the prosecutor's offices. Previously, the deliverable was approved by the Decision No 131 of 25 January 2022 of the Section for Prosecutors of the Superior Council of Magistracy.

On the basis of the complexity indices established during the management analysis, as well as the mechanism for calculating the volume and complexity of the work of prosecutors carrying out criminal surveillance activities, the direct criminal prosecution and the participation in court hearings, the steps were made for the elaboration of the technical specifications and the execution of the public procurement of services for the realization and implementation of the IT solution for the dynamic calculation of the volume and complexity of the prosecutors' activity.

On 26 August 2022, the public procurement contract was signed with the object of developing the IT application for calculating the complexity and workload of prosecutors/prosecution units.

This IT solution will be developed for future use at the level of all public prosecutor's offices and will be used in the form of a pilot exercise at the level of the pilot prosecution offices. The IT solution will be designed such as that it can be replicated, improved and adjusted to the specifics of competence and logistics of the other public prosecutor's offices operating at national level.

Starting with 1 December 2022, based on the conclusions of the management analysis and also taking into account the amendments made to the justice laws, it was initiated an analysis of the legislative framework in order to identify the ways in which it can be improved, at the level of primary and/or secondary legislation, in order to create the necessary framework for the implementation of the conclusions taken from the management tool approved by the Section of Prosecutors of the Superior Council of Magistracy. Following this analysis, proposals will be made to amend secondary legislation and, if deemed necessary, to the relevant primary legislation.

Consequently, in accordance with and within the competence of the Superior Council of Magistracy, a new strategy for the development of human resources at the level of the Prosecutors' Offices will be developed, both in terms of the necessary positions of prosecutors, the auxiliary and support staff and the possibilities of redistributing the existing resources.

➤ Within the project "**Elimination of factors for inflation of causes, identification of normative elements and trends of agglomeration — EFICIENCE**"⁵, SIPOCA/MySMIS code 752/129914", implemented

⁴ <https://sites.google.com/csm.csm1909.ro/sipoca761/sipoca-761>

⁵ <https://sites.google.com/csm.csm1909.ro/sipoca752/sipoca-752>

by the Superior Council of Magistracy in partnership with the General Secretariat of the Government, it was developed and updated the STATIS application by elaborating an IT module for judicial statistics on the inflation of causes and repetitive causes, highlighting them in real time.

All these activities aim to identify repetitive cases, at an early stage, in order to be able to take the necessary measures, depending on the case that generated the files, in order to relieve the courts load in non-criminal matters.

By updating the STATIS module and by implementing the actions laid down in the project, it was created mechanism in order to identify the early inflation of disputes generated by the deficiencies of the regulatory norms, as well as the repetitive causes. This is a mechanism that can be adapted and improved later.

The mechanism will provide, in the long and very long term, a flexible framework for the regular reassessment of repetitive types of cases and causes of non-unitary judicial practice.

This will allow early warning of institutional factors with attribution in terms of legislative initiative and judicial management from an administrative, logistical and material resources point of view, so that these phenomena, which are likely to seriously affect the efficiency and quality of justice and access to justice of the public, are censored, managed and remedied in a timely manner.

➤ Within the Project **“Strengthening the organizational and administrative capacity of the Superior Council of Magistracy”**⁶ SIPOCA/MySMIS Code: 760/135225, implemented by the SCM, during 2022, started the implementation of the Professional Development Strategy of the staff of the Superior Council of Magistracy.

Thus, professional training courses were carried out to develop managerial skills (organizational management, Project Management), but also in other reference areas established by reference to the Council’s scope of activity (Public Procurement Procedures, ECDL — Digital Competence Certification, Legislative Technical Rules and Procedures, etc.).

Also, from the perspective of digitalization of the judiciary, it should be noted that, on 19 September 2022, the public procurement contract was signed for the development of an integrated IT system at the level of the Superior Council of Magistracy, for the management of the work of the technical and networking apparatus with other institutions/organizations inside and outside the judiciary (‘CSMapp’).

By implementing the CSMapp IT system, the Superior Council of Magistracy aims to manage a functional application, able to meet its digitization needs, using the latest technologies. The CSMapp IT system will ensure integration with other national IT systems, such as ECRIS (the application used at court level for electronic file management), but also with other IT systems that are currently developed or to be developed in the next period in other projects.

Currently, the activities of the service contract are being implemented according to the contractual clauses. It should also be noted that during December 2022, the technical equipment necessary for the development, implementation and security of the CSMapp IT application was delivered.

As regards the improvement of workflows at the level of the Superior Council of Magistracy, it should be pointed out that, also within the framework of the project, physical and electronic document archiving services were purchased and approved a new Archivist Nomenclature was developed and approved. These

⁶ <https://sites.google.com/csm.csm1909.ro/sipoca760/sipoca-760>

steps will help to make the work more efficient and will ensure the premise of increased efficiency in the working procedures and the resolution of the work at the level of the Council's technical apparatus.

➤ Project **“CPCI — Increasing institutional performance and quality by improving the evaluation and psychological assistance system in the judicial system”⁷**, SIPOCA/MySMIS Code: 762/135456 is implemented in partnership with the National Institute of Magistracy, Judicial Inspection and Prosecutor's Office attached to the High Court of Cassation and Justice

During 2022, internal experts from the SCM and partners developed the deliverable Proposals for regulatory instruments (regulations, working procedures, etc.).

As regards the procurement procedure for the development of the Integrated Information System for Evaluation and Psychological Assistance at the level of the judiciary, it was relaunched in the form of two separate procurement procedures: a procedure for contracting development/adaptation services for testing and psychological support and a procedure for contracting IT development services, after the cancellation of the first procedure, due to the fact that no admissible tender has been submitted. The contract notices for these two separate procurement procedures were published in SEAP.

At the same time, the steps for occupying the positions of psychologists provided for the achievement of the target group envisaged in the project, at the level of the courts, the prosecutor's offices, the Judicial Inspection and the National Institute of Magistracy were continued.

With regard to the Superior Council of Magistracy, efforts have been made to fill the positions of psychologists, and the steps for approving the organization of the competition for the occupation of two contract staff positions have now been finalized.

Also, the procurement procedure for the provision of technical equipment for the management team was completed, the equipment being received. At the same time, the reception of Microsoft Office licenses was carried out.

➤ Within the project **“Professional training and capacity building at the level of the⁸judiciary”**, financed under the Norwegian Financial Mechanism 2014-2021, the activities were implemented by the Superior Council of Magistracy, as Project Promoter, in partnership with the National Institute of Magistracy, the National School of Clerks and the Administration of Courts of Norway.

During 2022 the implementation of the project activities continued, 39 training sessions were organized out of the total number of 137, in the following areas: public procurement (6), procedural rules applicable to administrative disputes (2), tax procedure (5), judicial cooperation in civil and criminal matters (8), jurisprudence of the ECHR and fundamental rights (5), enforcement of judgments in criminal matters (2), techniques for hearing minors (6), access to justice for Roma and vulnerable groups (5).

Taking into account the specific objectives of the predefined project, as well as the recommendations of the European Union for Romania and other Member States regarding the further transformation of the judicial system into a child-friendly one in civil, criminal or administrative proceedings, the Council of Europe Strategy on the Rights of the Child 2016-2021, as well as the conclusions of the Judicial Inspection Report on the practice of courts and prosecutor's offices in the investigation and settlement of cases

⁷ <https://sites.google.com/csm.csm1909.ro/sipoca762/sipoca-762>

⁸ <https://sites.google.com/csm.csm1909.ro/mfn-2014-2021>

concerning crimes in sexual life with minor victims, adopted by the Plenum of the Superior Council of Magistracy by Decision No 127 of 27 July 2021, the Superior Council of Magistracy included a separate activity on the development of chambers of hearing minors at court level. In this respect, the related procurement procedures were carried out for the implementation of the activity, namely the procurement procedure for furniture and consumables, as well as the procedure for the public procurement of audio-video systems, the delivery of the goods will take place as soon as possible. Also, the steps leading to the IT equipment of the Superior Council of Magistracy, the National Institute of Magistracy, the National School of Clergy and the courts were finalized. The endowment component of the project was completed with equipment designed to increase cybersecurity at the level of the Superior Council of Magistracy, the procurement procedure being underway at this time (equipment to be delivered during the first semester of 2023).

➤ **The project “Development of the Case Management System — Ecris V” (code My SMIS 142520),** implemented by the Ministry of Justice, where the Superior Council of Magistracy, together with the Bucharest Court of Appeal and the Prosecutor’s Office attached to the High Court of Cassation and Justice (Public Ministry), is a partner.

➤ **National Recovery and Resilience Plan (NRR)**

On 20 June 2022, the Ministry of Justice launched the non-competitive call for projects with the codes PNRR/2022/C.7/I.4/1, PNRR/2022/C.14/I.1/1 and PNRR/2022/C.14/I.2/1.

In the context of the implementation of the NRPR, the non-competitive call aims at selecting and contracting projects that will contribute to the realization of the investments provided for in the NRPR for which the Ministry of Justice has the capacity of coordinator, i.e. to achieve their milestones and targets, namely:

- Investment 4 “Digitalization of the judiciary” (component 7 “Digital transformation”);
- Investment 1 “Optimizing judicial infrastructure to guarantee access to justice and quality of services” (component 14 “Good Governance”);
- Investment 2 “Development of logistics infrastructure (non-IT) necessary to fight corruption and recover property and damage caused by crime” (component 14 “Good Governance”).

On 21.11.2022, the Superior Council of Magistracy submitted to the Ministry of Justice the request for funding for the project “Improving digitalization at the level of the Superior Council of Magistracy”, which intends to complete the steps to develop the IT infrastructure carried out in the framework of other projects benefiting from non-reimbursable external financing.

The project proposal is currently in the evaluation phase at the level of the Ministry of Justice.